

IN THE SUPREME COURT OF THE STATE OF NEVADA

Case No. 83796

DONTE JOHNSON,
Petitioner,

Electronically Filed
May 27 2022 06:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

v.

STATE OF NEVADA, *et al.*,
Respondent.

Appeal From Clark County District Court
Eighth Judicial District, Clark County
The Honorable Jacqueline M. Bluth, District Judge
(Dist. Ct. No. A-19-789336-W)

APPELLANT'S APPENDIX

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RENE L. VALLADARES
Federal Public Defender
Nevada State Bar No. 11479
RANDOLPH M. FIEDLER
Assistant Federal Public Defender
Nevada State Bar No. 12577
Assistant Federal Public Defender
ELLESE HENDERSON
Assistant Federal Public Defender
Nevada State Bar No. 14674

411 E. Bonneville, Suite 250
Las Vegas, Nevada 89101
Telephone: (702) 388-6577
Fax: (702) 388-6419
Randolph_Fiedler@fd.org
Ellesse_Henderson@fd.org

Counsel for Petitioner
Donte Johnson

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196. Trial Transcript (Volume IX), <i>State v. Smith</i> , District Court, Clark County, Nevada Case No. C153624 (June 18, 1999)	02/13/2019	46	11376–11505

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197. Voluntary Statement of Luis Cabrera (August 14, 1998)	02/13/2019	46	11506–11507
198. Voluntary Statement of Jeff Bates (handwritten)_Redacted (Aug. 14, 1998)	02/13/2019	46	11508–11510
199. Voluntary Statement of Jeff Bates_Redacted (Aug. 14, 1998)	02/13/2019	46	11511–11517
200. Presentence Investigation Report, State’s Exhibit 236, <i>State v. Young</i> , District Court, Clark County, Nevada Case No. C153461_Redacted (Sep. 15, 1999)	02/13/2019	46	11518–11531
201. Presentence Investigation Report, State’s Exhibit 184, <i>State v. Smith</i> , District Court, Clark County, Nevada Case No. C153624_Redacted (Sep. 18, 1998)	02/13/2019	46	11532–11540
202. School Record of Sikia Smith, Defendant’s Exhibit J, <i>State v. Smith</i> , District Court, Clark County, Nevada (Case No. C153624)	02/13/2019	46	11541–11542
203. School Record of Sikia Smith, Defendant’s Exhibit K, <i>State v. Smith</i> , District Court, Clark County, Nevada (Case No. C153624)	02/13/2019	46	11543–11544

DOCUMENT	DATE	VOLUME	PAGE(S)
204. School Record of Sikia Smith, Defendant's Exhibit L, <i>State v. Smith</i> , District Court, Clark County, Nevada (Case No. C153624)	02/13/2019	46	11545–11546
205. Competency Evaluation of Terrell Young by Greg Harder, Psy.D., Court's Exhibit 2, <i>State v. Young</i> , District Court, Clark County, Nevada Case No. C153461 (May 3, 2006)	02/13/2019	46	11547–11550
206. Competency Evaluation of Terrell Young by C. Philip Colosimo, Ph.D., Court's Exhibit 3, <i>State v. Young</i> , District Court, Clark County, Nevada Case No. C153461 (May 3, 2006)	02/13/2019	46	11551–11555
207. Motion and Notice of Motion in Limine to Preclude Evidence of Other Guns Weapons and Ammunition Not Used in the Crime, <i>State v. Johnson</i> , District Court, Clark County, Nevada Case No. C153154 (Oct. 19, 1999)	02/13/2019	46	11556–11570
208. Declaration of Cassondrus Ragsdale (Dec. 19, 2018)	02/13/2019	46	11571–11575
209. Post –Evidentiary Hearing Supplemental Points and Authorities, Exhibit A: Affidavit of Theresa Knight, <i>State v. Johnson</i> ,	02/13/2019	46	11576–11577

DOCUMENT	DATE	VOLUME	PAGE(S)
District Court, Clark County, Nevada Case No. C153154, June 5, 2005			
210. Post –Evidentiary Hearing Supplemental Points and Authorities, Exhibit B: Affidavit of Wilfredo Mercado, <i>State v. Johnson</i> , District Court, Clark County, Nevada Case No. C153154, June 22, 2005	02/13/2019	46	11578–11579
211. Genogram of Johnson Family Tree	02/13/2019	46	11580–11581
212. Motion in Limine Regarding Referring to Victims as “Boys”, <i>State v. Johnson</i> , District Court, Clark County, Nevada Case No. C153154	02/13/2019	46	11582–11585
213. Declaration of Schaumetta Minor, (Dec. 18, 2018)	02/13/2019	46	11586–11589
214. Declaration of Alzora Jackson (Feb. 11, 2019)	02/13/2019	46	11590–11593
Exhibits in Support of Petitioner’s Motion for Leave to Conduct Discovery	12/13/2019	49	12197–12199
1. <i>Holloway v. Baldonado</i> , No. A498609, Plaintiff’s Opposition to Motion for Summary Judgment, District Court of Clark County, Nevada, filed Aug. 1, 2007	12/13/2019	49	12200–12227
2. Handwritten letter from Charla Severs, dated Sep. 27, 1998	12/13/2019	49	12228–12229

DOCUMENT	DATE	VOLUME	PAGE(S)
Exhibits in Support of Reply to State's Response to Petition for Writ of Habeas Corpus	12/13/2019	47	11837–11839
215. <i>Holloway v. Baldonado</i> , No. A498609, Plaintiff's Opposition to Motion for Summary Judgment, District Court of Clark County, Aug. 1, 2007	12/13/2019	47–48	11840–11867
216. <i>Holloway v. Baldonado</i> , No. A498609, Opposition to Motion for Summary Judgment Filed by Defendants Stewart Bell, David Roger, and Clark County, District Court of Clark County, filed Jan. 16, 2008	12/13/2019	48–49	11868–12111
217. Letter from Charla Severs, dated Sep. 27, 1998	12/13/2019	49	12112–12113
218. Decision and Order, <i>State of Nevada v. Johnson</i> , Case No. C153154, District Court of Clark County, filed Apr. 18, 2000	12/13/2019	49	12114–12120
219. State's Motion to Disqualify the Honorable Lee Gates, <i>State of Nevada v. Johnson</i> , Case No. C153154, District Court of Clark County, filed Apr. 4, 2005	12/13/2019	49	12121–12135
220. Affidavit of the Honorable Lee A. Gates, <i>State of Nevada v. Johnson</i> , Case No. C153154, District	12/13/2019	49	12136–12138

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Court of Clark County, filed Apr. 5, 2005			
221. Motion for a New Trial (Request for Evidentiary Hearing), <i>State of Nevada v. Johnson</i> , Case No. C153154, District Court of Clark County, filed June 23, 2000	12/13/2019	49	12139–12163
222. Juror Questionnaire of John Young, <i>State of Nevada v. Johnson</i> , Case No. C153154, District Court of Clark County, dated May 24, 2000	12/13/2019	49	16124–12186
Findings of Fact, Conclusions of Law and Order, <i>Johnson v. Gittere, et al.</i> , Case No. A–19– 789336–W, Clark County District Court, Nevada	10/08/2021	49	12352–12357
Minute Order (denying Petitioner’s Post–Conviction Writ of Habeas Corpus, Motion for Discovery and Evidentiary Hearing), <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	05/15/2019	49	12264–12266
Minutes of Motion to Vacate Briefing Schedule and Strike Habeas Petition	07/09/2019	47	11710
Motion and Notice of Motion for Evidentiary Hearing, <i>Johnson v.</i>	12/13/2019	49	12231–12241

DOCUMENT	DATE	VOLUME	PAGE(S)
<i>Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada			
Motion and Notice to Conduct Discovery, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	12/13/2019	49	12187-12196
Motion for Leave to File Under Seal and Notice of Motion	02/15/2019		11600-11602
Motion in Limine to Prohibit Any References to the First Phase as the “Guilt Phase”	11/29/1999	2	302-304
Motion to Vacate Briefing Schedule and Strike Habeas Petition, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	05/16/2019	46-47	11609-11612
Motion to Vacate Briefing Schedule and Strike Habeas Petition, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	05/23/2019	47	11621-11624
Motion to Withdraw Request to Strike Petition and to Withdraw Request for Petition to be Stricken as Not Properly Before the Court), <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-	06/26/2019	47	11708-11709

DOCUMENT	DATE	VOLUME	PAGE(S)
W, Clark County District Court, Nevada			
Notice of Appeal, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	11/10/2021	50	12366-12368
Notice of Entry of Findings of Fact, Conclusions of Law and Order, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	10/11/2021	49-50	12358-12364
Notice of Hearing (on Discovery Motion), <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	12/13/2019	49	12330
Notice of Objections to Proposed Order, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	02/02/2021	49	12267-12351
Notice of Supplemental Exhibit 223, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada	02/11/2019	49	11242-12244
223. Declaration of Dayvid J. Figler, dated Feb. 10, 2020	02/11/2019	49	12245-12247
Opposition to Defendants' Motion in Limine to Prohibit	12/02/1999	2	305-306

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Any References to the First Phase as the “Guilt Phase”			
Opposition to Motion in Limine to Preclude Evidence of Other Guns, Weapons and Ammunition Not Used in the Crime	11/04/1999	2	283–292
Opposition to Motion to Vacate Briefing Schedule and Strike Habeas Petition, <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	05/28/2019	47	11625–11628
Petition for Writ of Habeas Corpus, <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	02/13/2019	24–25	5752–6129
Post–Evidentiary Hearing Supplemental Points and Authorities	06/22/2005	22	5472–5491
Reply to Opposition to Motion to Vacate Briefing Schedule and Strike Habeas Petition	06/20/2019	47	11705–11707
Reply to State’s Response to Petition for Writ of Habeas Corpus	12/13/2019	47	11718–11836
State’s Response to Defendant’s Petition for Writ of Habeas Corpus (Post–Conviction),	05/29/2019	47	11629–11704

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Stipulation and Order to Modify Briefing Schedule, <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	09/30/2019	47	11711–11714
Stipulation and Order to Modify Briefing Schedule, <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	11/22/2019	47	11715–11717
Transcript of All Defendant’s Pending Motions	03/02/2000	2	416–430
Transcript of Argument to Admit Evidence of Aggravating Circumstances	05/03/2004	12	2904–2958
Transcript of Argument: Petition for Writ of Habeas Corpus (All Issues Raised in the Petition and Supplement)	12/01/2011	22–23	5498–5569
Transcript of Arguments	04/28/2004	12	2870–2903
Transcript of Decision: Procedural Bar and Argument: Petition for Writ of Habeas Corpus	07/20/2011	22	5492–5497
Transcript of Defendant’s Motion for Leave to File Under	02/25/2019	46	11594–11599

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Seal, <i>Johnson v. Gittere, et al.</i> , Case No. A-19-789336-W, Clark County District Court, Nevada			
Transcript of Defendant's Motion to Reveal the Identity of Informants and Reveal Any Benefits, Deals, Promises or Inducements; Defendant's Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution; Defendant's Motion to Compel the Production of Any and All Statements of Defendant; Defendant's Reply to Opposition to Motion in Limine to Preclude Evidence of Other Guns, Weapons, Ammunition; Defendant's Motion in Limine to Preclude Evidence of Witness Intimidation	11/18/1999	2	293-301
Transcript of Evidentiary Hearing	05/17/2004	12	2959-2989
Transcript of Evidentiary Hearing	06/14/2005	22	5396-5471
Transcript of Evidentiary Hearing	04/04/2013	23	5570-5673
Transcript of Evidentiary Hearing	04/11/2013	23	5674-5677

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Transcript of Evidentiary Hearing	06/21/2013	23	5678–5748
Transcript of Evidentiary Hearing	09/18/2013	23–24	5749–5751
Transcript of Excerpted Testimony of Termaine Anthony Lytle	05/17/2004	12	2990–2992
Transcript of Jury Trial – Day 1 (Volume I)	06/05/2000	2–4	431–809
Transcript of Jury Trial – Day 2 (Volume II)	06/06/2000	4–5	810–1116
Transcript of Jury Trial – Day 3 (Volume III)	06/07/2000	5–7	1117–1513
Transcript of Jury Trial – Day 4 (Volume IV)	06/08/2000	7–8	1514–1770
Transcript of Jury Trial – Day 5 (Volume V)	06/09/2000	8	1771–1179
Transcript of Jury Trial – Penalty – Day 1 (Volume I) AM	04/19/2005	12–13	2993–3018
Transcript of Jury Trial – Penalty – Day 1 (Volume I) PM	4/19/2005 ¹	13	3019–3176
Transcript of Jury Trial – Penalty – Day 10 (Volume X)	05/02/2005	20–21	4791–5065

¹ This transcript was not filed with the District Court nor is it under seal.

DOCUMENT	DATE	VOLUME	PAGE(S)
Transcript of Jury Trial – Penalty – Day 10 (Volume X) – Exhibits	05/02/2005	21	5066–5069
Transcript of Jury Trial – Penalty – Day 11 (Volume XI)	05/03/2005	21–22	5070–5266
Transcript of Jury Trial – Penalty – Day 12 (Volume XII)	05/04/2005	22	5267–5379
Transcript of Jury Trial – Penalty – Day 12 (Volume XII) – Deliberations	05/04/2005	22	5380–5383
Transcript of Jury Trial – Penalty – Day 13 (Volume XIII)	05/05/2005	22	5384–5395
Transcript of Jury Trial – Penalty – Day 2 (Volume I) AM	04/20/2005	13	3177–3201
Transcript of Jury Trial – Penalty – Day 2 (Volume II) PM	04/20/2005	13–14	3202–3281
Transcript of Jury Trial – Penalty – Day 3 (Volume III) PM	04/21/2005	14–15	3349–3673
Transcript of Jury Trial – Penalty – Day 3 (Volume III–A) AM	04/21/2005	14	3282–3348
Transcript of Jury Trial – Penalty – Day 4 (Volume IV) AM – Amended Cover Page	04/22/2005	16	3790–3791
Transcript of Jury Trial – Penalty – Day 4 (Volume IV) PM	04/22/2005	15–16	3674–3789

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Transcript of Jury Trial – Penalty – Day 5 (Volume V) PM	04/25/2005	16	3859–3981
Transcript of Jury Trial – Penalty – Day 5 (Volume V–A)	04/25/2005	16	3819–3858
Transcript of Jury Trial – Penalty – Day 6 (Volume VI) PM	04/26/2005	17–18	4103–4304
Transcript of Jury Trial – Penalty – Day 6 (Volume VI–A) PM	04/26/2005	16–17	3982–4102
Transcript of Jury Trial – Penalty – Day 7 (Volume VII– PM)	04/27/2005	18	4382–4477
Transcript of Jury Trial – Penalty – Day 7 (Volume VII–A)	04/27/2005	18	4305–4381
Transcript of Jury Trial – Penalty – Day 8 (Volume VIII– C)	04/28/2005	18–19	4478–4543
Transcript of Jury Trial – Penalty – Day 9 (Volume IX)	04/29/2005	19–20	4544–4790
Transcript of Jury Trial – Penalty Phase – Day 1 (Volume I) AM	06/13/2000	8	1780–1908
Transcript of Jury Trial – Penalty Phase – Day 1 (Volume II) PM	06/13/2000	8–9	1909–2068

DOCUMENT	DATE	VOLUME	PAGE(S)
Transcript of Jury Trial – Penalty Phase – Day 2 (Volume III)	06/14/2000	9–10	2069-2379
Transcript of Jury Trial – Penalty Phase – Day 3 (Volume IV)	06/16/2000	10	2380–2470
Transcript of Material Witness Charla Severs’ Motion for Own Recognizance Release	01/18/2000	2	414–415
Transcript of Motion for a New Trial	07/13/2000	10	2471–2475
Transcript of Petition for Writ of Habeas Corpus and Setting of 1. Motion for Leave and 2. Motion for Evidentiary Hearing, <i>Johnson v. Gittere, et al.</i> , Case No. A–19–789336–W, Clark County District Court, Nevada	02/13/2020	49	12249–12263
Transcript of Preliminary Hearing	10/12/1999	2	260–273
Transcript of State’s Motion to Permit DNA Testing	09/02/1999	2	252 – 254
Transcript of State’s Motion to Videotape the Deposition of Charla Severs	10/11/1999	2	255–259
Transcript of Status Check: Filing of All Motions (Defendant’s Motion to Reveal	10/21/1999	2	274–282

DOCUMENT	DATE	VOLUME	PAGE(S)
the Identity of Informants and Reveal Any Benefits, Deals, Promises or Inducements; Defendant's Motion to Compel Disclosure of Existence and Substance of Expectations, or Actual Receipt of Benefits or Preferential Treatment for Cooperation with Prosecution; Defendant's Motion to Compel the Production of Any and All Statements of Defendant; State's Motion to Videotape the Deposition of Charla Severs; Defendant's Motion in Limine to Preclude Evidence of Other Crimes; Defendant's Motion to Reveal the Identity of Informants and Reveal any Benefits, Deals' Defendant's Motion to Compel the Production of any and all Statements of the Defendant			
Transcript of the Grand Jury, <i>State v. Johnson</i> , Case No. 98C153154, Clark County District Court, Nevada	09/01/1998	1–2	001–251
Transcript of Three Judge Panel – Penalty Phase – Day 1 (Volume I)	07/24/2000	10–11	2476–2713
Transcript of Three Judge Panel – Penalty Phase – Day 2 and Verdict (Volume II)	07/26/2000	11–12	2714–2853

DOCUMENT	DATE	VOLUME	PAGE(S)
Transcript Re: Defendant's Motions	01/06/2000	2	307–413
Verdict Forms – Three Judge Panel	7/26/2000	12	2854–2869

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2022, I electronically filed the foregoing Appendix with the Nevada Supreme Court by using the appellate electronic filing system. The following participants in the case will be served by the electronic filing system:

Alexander G. Chen
Chief Deputy District Attorney
Clark County District Attorney's Office

/s/ Celina Moore

Celina Moore
An employee of the Federal
Public Defender's Office

EXHIBIT 108

EXHIBIT 108



AA09361

MARKED FOR IDENTIFICATION
DEFENDANT'S PROPOSED EXHIBIT
STATE V JOHNSON - C153461

STATE'S EXHIBIT
130
C153461

MARKED FOR IDENTIFICATION
STATE'S EXHIBIT
130
C153461
5-12-06

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT
130
C153461
9-9-97

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT 130

EXHIBIT 109

EXHIBIT 109



AA09364

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT
STATE V JOHNSON -

STATE'S EXHIBIT
134
C153154
00-L-9

STATE'S EXHIBIT
134
C153154
42-05

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STATE V JOHNSON
C153461
STATE'S EXHIBIT
134
C153461
5-12-06

STATE'S EXHIBIT
134
C153603
66-L-9
MARKED FOR IDENTIFICATION
STATE V JOHNSON

STATE'S EXHIBIT
134
C153461
9-9-99
MARKED FOR IDENTIFICATION
STATE V JOHNSON

EXHIBIT 110

EXHIBIT 110



AA09367

MARKED FOR IDENTIFICATION
 STATE'S PROPOSED EXHIBIT
 STATE V JOHNSON - C

PENGAD-Byrd, N. J.
 STATE'S EXHIBIT
 137
 C153154
 00-L-9

MARKED FOR IDENTIFICATION
 STATE'S EXHIBIT
 137
 C153461
 5-12-06

MARKED FOR IDENTIFICATION
 State's Proposed Exhibit 137
 C153624

STATE'S EXHIBIT
 137
 C153154
 4-26-05

MARKED FOR IDENTIFICATION
 State's Proposed Exhibit
 STATE'S EXHIBIT
 137
 C153461
 9-9-99

EXHIBIT 111

EXHIBIT 111



AA09370

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT

C153461

145

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT
STATE V JOHNSON

STATE'S
EXHIBIT
145
C153154 6-7-00

MARKED FOR IDENTIFICATION
State's Proposed Exhibit

C153461

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MARKED FOR IDENTIFICATION
State's Proposed Exhibit

C153624

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STATE'S
EXHIBIT
145
C153154 4-26-05

EXHIBIT 112

EXHIBIT 112

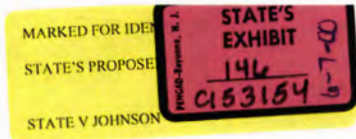


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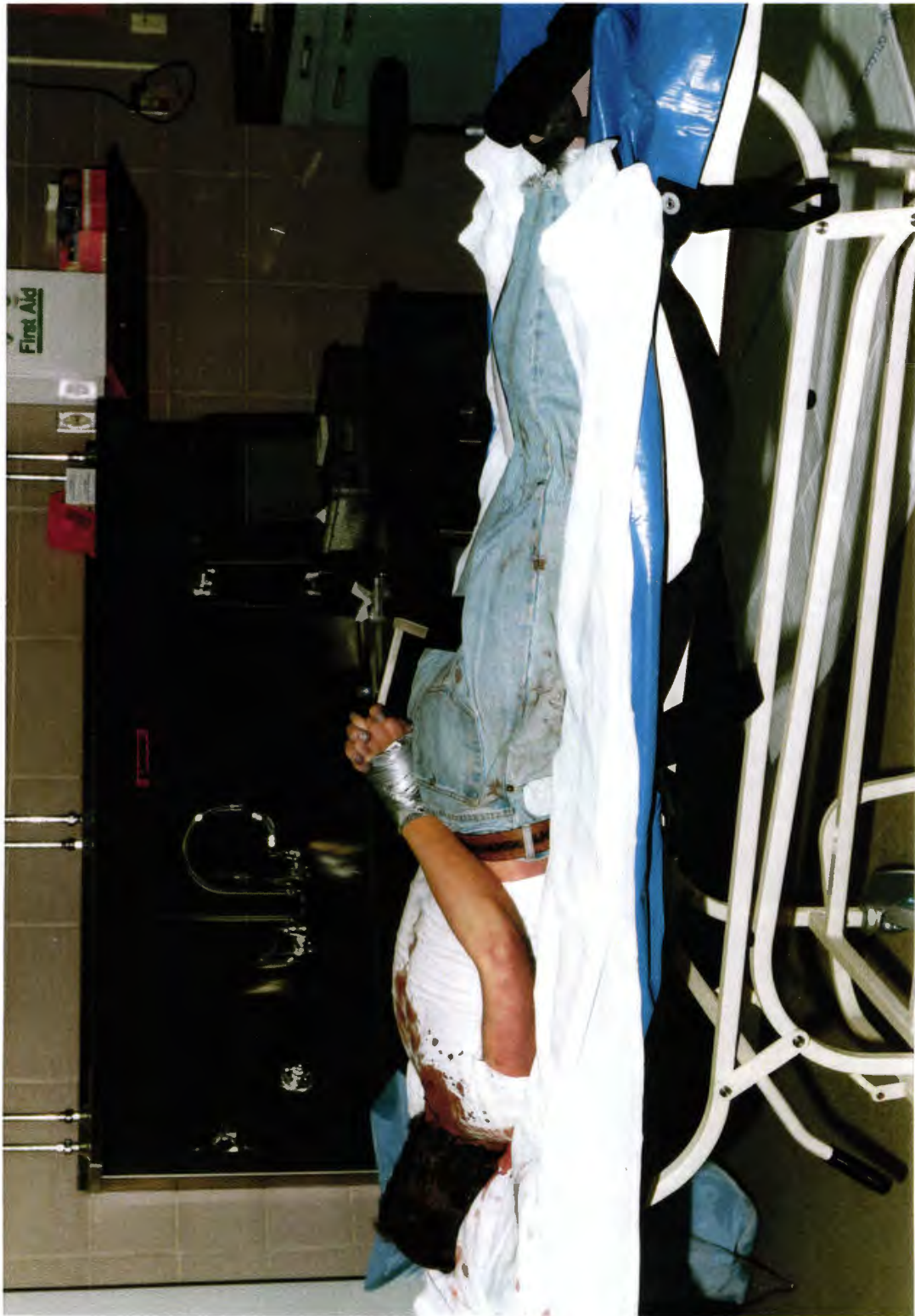
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C153624
MARKED FOR IDENTIFICATION
State's Proposed Exhibit 146

EXHIBIT 113

EXHIBIT 113



AA09376

MARKED FOR IDENTIFICATION	T. M. Kennedy PENGAD-REYNOLDS, R. L. STATE'S EXHIBIT 148 C153154 00-L-9
STATE'S PROPOSED EXHIBIT	
STATE V JOHNSON	

MARKED FOR IDENTIFICATION	C153461 STATE'S EXHIBIT 148 C153461 5-12-06
STATE'S PROPOSED EXHIBIT	
PENGAD-REYNOLDS, R. L.	

MARKED FOR IDENTIFICATION
 State's Proposed Exhibit 148
 C153624

STATE'S EXHIBIT	C153154 148 4-24-05
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MARKED FOR IDENTIFICATION	C153461 STATE'S EXHIBIT 148 C153461 9-9-06
STATE'S PROPOSED EXHIBIT	
PENGAD-REYNOLDS, R. L.	

EXHIBIT 114

EXHIBIT 114



AA09379

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT
STATE V JOHNSON - C

PENGAD-Bayonne, N. J.
STATE'S
EXHIBIT
151
C153154
00-6-9

STATE'S
EXHIBIT
151
C153154
5-9-96

MARKED FOR IDENTIFICATION
STATE'S PROPOSED EXHIBIT

C153461

PENGAD-Bayonne, N. J.
STATE'S
EXHIBIT
151
C153461
5-12-06

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State's Proposed Exhibit

C1536

PENGAD-Bayonne, N. J.
STATE'S
EXHIBIT
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C153624
6-17-99

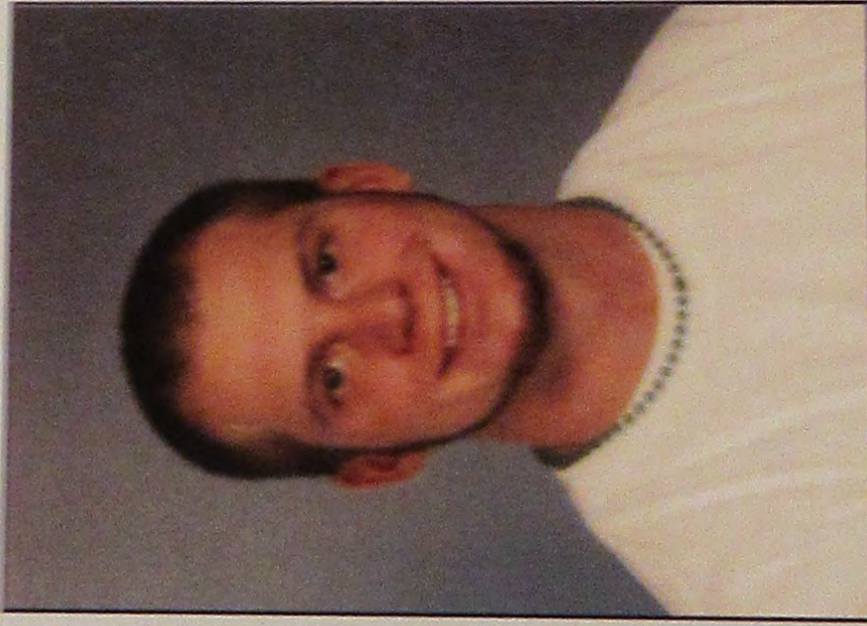
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MARKED FOR IDENTIFICATION
State's Proposed Exhibit

PENGAD-Bayonne, N. J.
STATE'S
EXHIBIT
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C153461
9-9-99

EXHIBIT 115

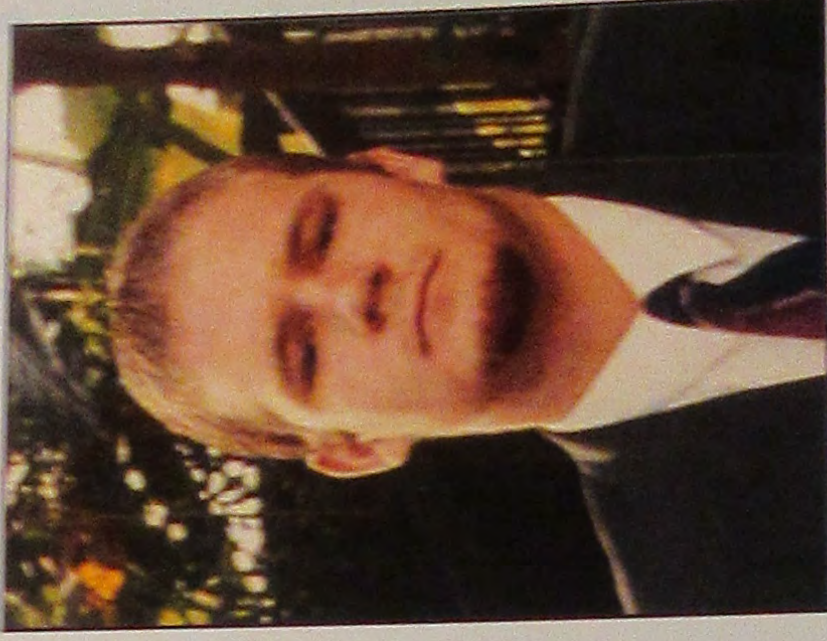
EXHIBIT 115



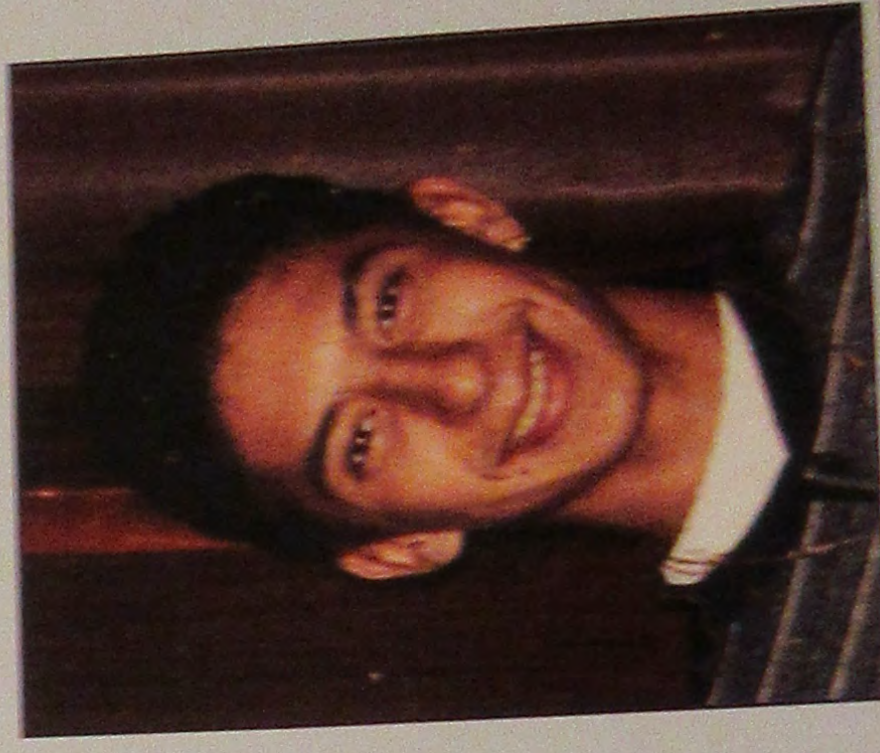
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DOD 8/14/98



JEFFREY BIDDLE
AGE 19
DOD 8/14/98



MATTHEW MOWEN
AGE 19
DOD 8/14/98



PETER TALAMANTEZ
AGE 17
DOD 8/14/98

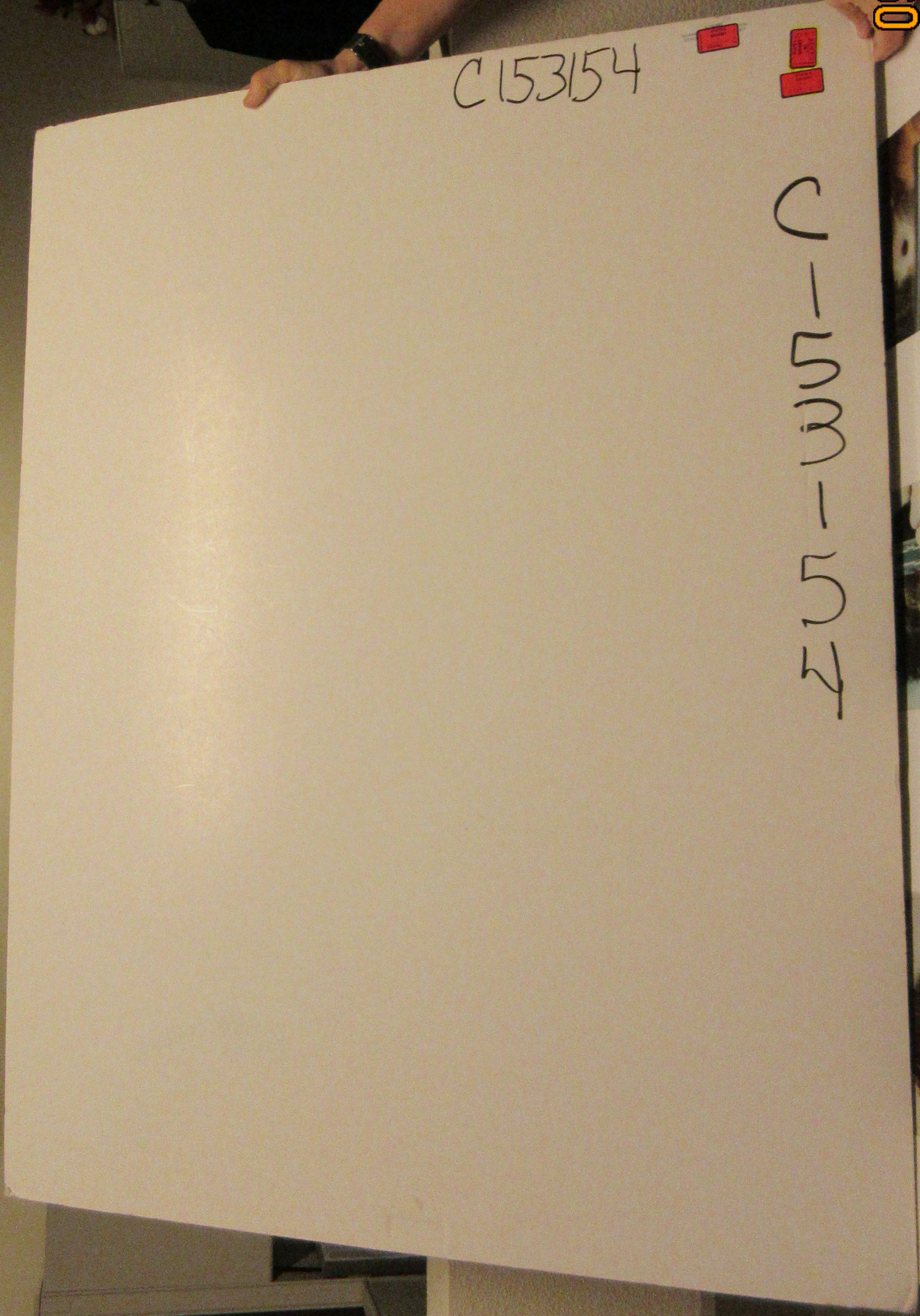
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C153461
6-11-06

STATE'S EXHIBIT
180
C153154
9-27-05

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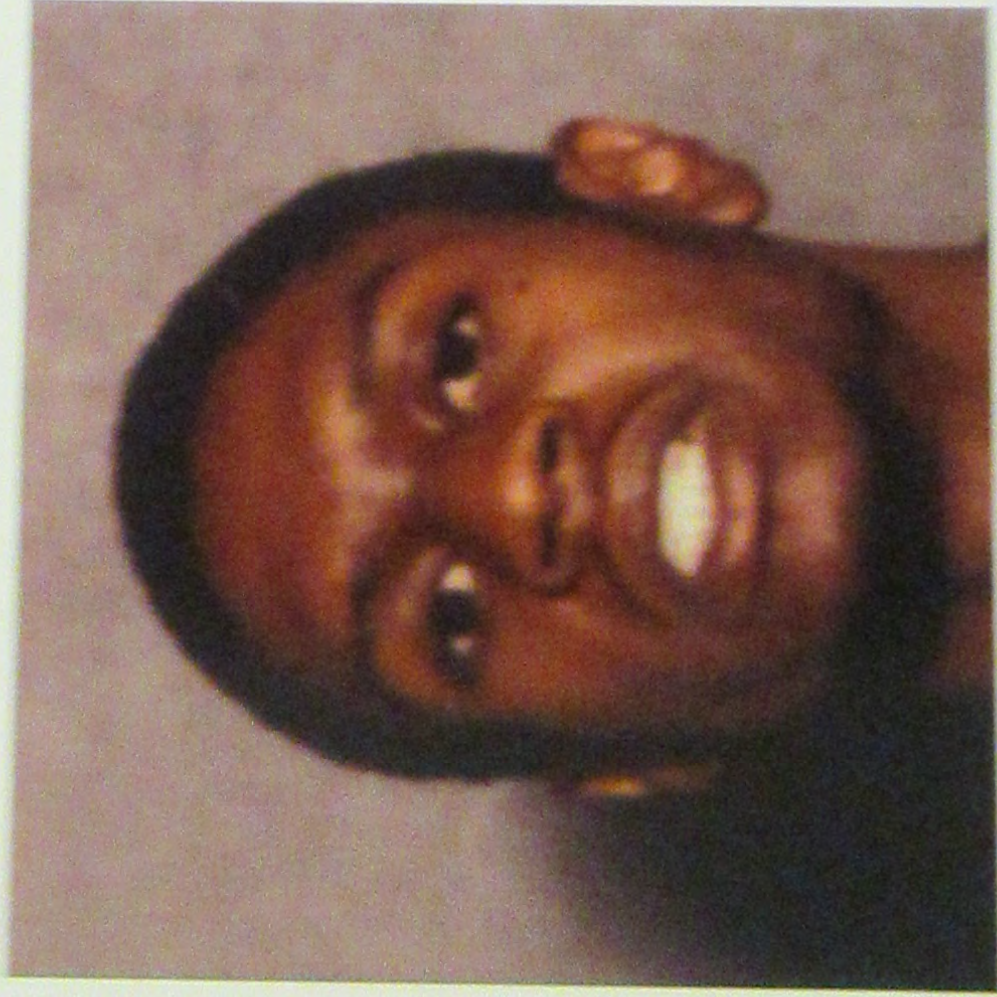
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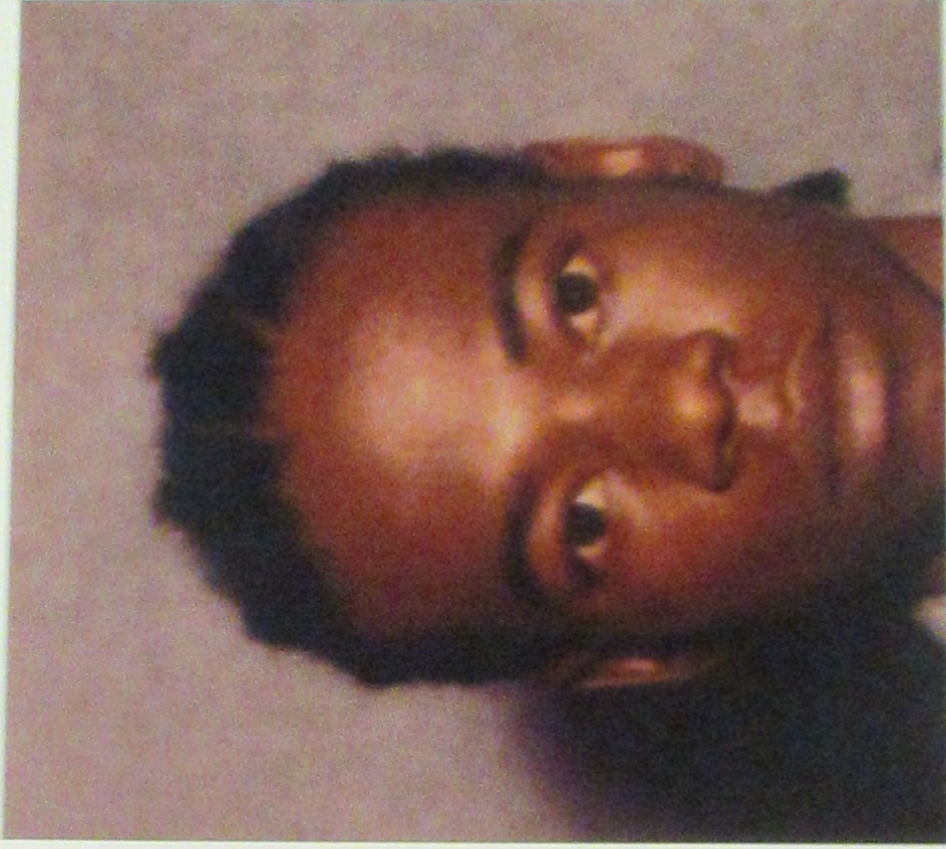


EXHIBIT 116

EXHIBIT 116



SIKIA SMITH
aka Tiny Bug



DONTE JOHNSON
aka John White
aka Deco



TERRELL YOUNG
aka Red

09/19/2018

MARK
STAT

C15481
STAT'S
EXHIBIT
10
0153164

STAT'S
EXHIBIT
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0153164

STAT'S
EXHIBIT
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09/19/2018



EXHIBIT 117

EXHIBIT 117

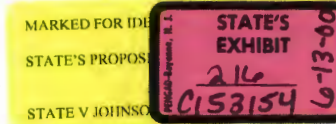
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COURT COPY

13



ATTORNEY'S NAME (FIRST & LAST)	TYPE
A. SCHULTZ	PD
ADDRESS	
PHONE #	

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
JUVENILE COURT

DEPT.	DATE	APP FROM APP
264	7/1/93	APP.

IN THE MATTER OF:

CASE NAME: LAST, FIRST, MIDDLE			
WHITE, JOHN			
AREA:			
"BABY DEKO", "DKO"			
POI #	USUALLY LIVES WITH	AREA	DPO
0926577		CE	855
CURRENT STATUS		CURRENT ASSIGNMENT	
CCP		LPJH	
D.P.O. RECOMMENDATION		CODE	
unbit			

COURT NO. TJ02273

JAIN: 1142727

PROBATION OFFICER'S REPORT

SCHOOL DATA

SCHOOL
Y.I.P.

DATE ATTENDANCE STATUS

LINEAT.

560-3580 33

N/P

(213)

751-6295 55

PERSONAL & FAMILY DATA:

AGE	RACE	RELIGION	LEGAL CUSTODY	NATURALIZATION STATUS	DATE	ATTENDANCE	STATUS
16	BLACK	CHRISTIAN	GRANDMOTHER	NEV/MARRIED		LINEAT.	
FATHER (LAST, FIRST, MIDDLE)		ADDRESS		PHONE		SECURITY #	
WHITE, JOHNNY SR.		UNK					
MOTHER		L.A., CA 90011		N/P		560-3580 33	
STEP-FATHER							
STEP-MOTHER							
GRANDMOTHER		L.A., CA 90044		(213)		751-6295 55	
EDWARDS, JANE							

REFERRAL INFORMATION & RECENT COURT ACTION:

REPORTED BY	DATE	DATE	DATE
LAPD	4/10/93	5/11/93	
DET. HEARING DATE	ORDER DETAINED	DET. DATE	
6/8/93	YES	23	
ADJ. HEARING DATE	HEARD BY	SUSTAINED BY	AMENDED
X	X	X	

ET. 3/22/93 - CT. I: 626.9 PC; CT. II: 12021(D) PC
PET. 5/11/93 - CT. I: 10851 VC; CT. II: 23103 VC; CT. III: 2800.2 VC;
CT. IV: 12500(A)VC

AA09390

ALLEGATIONS CONTINUED:

REASON FOR HEARING:

☐ DISPOSITION ☒ FITNESS ☐ 654 SUITABILITY ☐ OTHER

PRESENT OFFENSE:

SOURCES OF INFORMATION

☒ Referral Document ☐ Minor ☐ Victims ☐ Witnesses

<input type="checkbox"/> COMPANION(S) NAME	ALLEGATIONS	COURT NO.	DISPOSITION

ELEMENTS AND RELEVANT CIRCUMSTANCES OF THE OFFENSE:

REGARDING THE PETITION DATED MARCH 22, 1993:

ACCORDING TO THE LOS ANGELES POLICE DEPARTMENT REPORT DATED DECEMBER 14, 1992: ON DECEMBER 14, 1992 AT 8:00, OFFICERS RECEIVED A RADIO CALL FROM THE MAIN OFFICE AT JOHN MUIR JUNIOR HIGH SCHOOL TO INVESTIGATE A POSSIBLE WEAPON ON CAMPUS. UPON OFFICERS' ARRIVAL, THEY MET WITH THE PRINCIPAL, MR. CRIDDENTON AND INTERVIEWED SEVERAL OF THE WITNESSES. POLICE OFFICERS WERE TOLD BY WITNESSES AND SCHOOL OFFICIALS THAT A FEMALE STUDENT WAS IN THE SCHOOL AUDITORIUM AT JOHN MUIR FOR CHEER LEADING PRACTICE WITH A GROUP OF OTHER STUDENTS. THE MINOR AND FOUR COMPANIONS ENTERED THE AUDITORIUM THROUGH A SIDE DOOR. THE MINOR AND HIS COMPANIONS BEGAN TO HARASS

-2- (WHITE)

1 THE STUDENTS WHO WERE PRACTICING BY ASKING SILLY QUESTIONS.
2 MINOR'S COMPANION ASKED ONE OF THE YOUNG LADIES WHOSE RADIO WAS
3 THAT THAT THEY WERE LISTENING TO AND THE WITNESS REPLIED THAT IT
4 WAS NONE OF HIS BUSINESS. THE MINOR'S COMPANION THEN GOT MAD
5 AND TOLD THE YOUNG LADY THAT HE SHOULD SHOOT HER. AT THAT POINT,
6 MINOR WHITE HANDED HIS COMPANION A SMALL CALIBER SEMI-AUTOMATIC
7 GUN. IT SHOULD BE NOTED THAT THE GUN WAS POINTED DOWN AT THE
8 SIDE AND NEVER AT THE WITNESS, HOWEVER, SHE WAS STILL AFRAID.
9 THE OTHER THREE MINORS THAT WERE PRESENT DURING THE INCIDENT
10 DID NOT PARTICIPATE ACTIVELY.

11 AFTER POLICE TOOK THE STATEMENTS, THEY SHOWED
12 THE WITNESSES MINOR WHITE AND HIS COMPANION WHITE'S PICTURE IN
13 THE YEARBOOK OF JOHN MUIR JUNIOR HIGH SCHOOL.

14 THE MINOR WAS ARRESTED AND BOOKED FOR
15 POSSESSION OF A GUN ON CAMPUS AND RELEASED TO HIS GUARDIAN.

16 IN REGARD TO THE PETITION DATED MAY 11, 1993:
17 ACCORDING TO THE LOS ANGELES POLICE DEPARTMENT (LAPD) REPORT
18 DATED APRIL 10, 1993, OFFICERS WERE ON VEHICLE PATROL DRIVING
19 WESTBOUND ON DENKER AND OBSERVED THE MINOR DRIVING EASTBOUND
20 ON DENKER IN A 1990 CHEVY BERETTA. THE MINOR ALSO SAW THE POLICE
21 VEHICLE AND QUICKLY TURNED INTO AN ALLEY AND ACCELERATED HIS
22 VEHICLE FROM 45 TO 50 TOWARD THE MAIN STREET. A VEHICLE PURSUIT
23 ENSUED AS OFFICERS ATTEMPTED TO CATCH THE MINOR. AT ONE POINT,

-3- (WHITE)

1 THE MINOR EXITED THE CAR AND POLICE OFFICERS HAD TO SET UP A
2 PERIMETER BOUNDARY SEARCH FOR THE MINOR. AS THE PERIMETER WAS
3 BEING ESTABLISHED, OFFICERS OBSERVED AN INDIVIDUAL WEARING ALL
4 DARK CLOTHING EXIT THE FRONT YARD OF 1332 WEST 59TH PLACE. THE
5 MINOR WAS WALKING WESTBOUND ON THE SIDEWALK WITH HIS HANDS UP.
6 OFFICERS DIRECTED THE MINOR TO THEIR VEHICLE AND DETAINED THE MINOR
7 FOR INVESTIGATION. THE MINOR WAS TAKEN INTO CUSTODY WITHOUT
8 INCIDENT.

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-4- (WHITE)

76C8920 - PROB. SA 1/92

AA09393

VICTIM:

SOURCES OF INFORMATION (this page)

REFERRAL DOCUMENT

NAME POPE, GLEN		SUSTAINED ALLEGATIONS (COUNTS) CTS. I THRU IV	
INJURY; PROPERTY LOSS (TYPE/COST/ETC.)			
INSURANCE COVERAGE			
LOSS: <input type="checkbox"/> YES <input type="checkbox"/> NO	ESTIMATED LOSS	RESTITUTION ALREADY MADE	APPLIED FOR VICTIM RESTITUTION FUND <input type="checkbox"/> UNK <input type="checkbox"/> YES <input type="checkbox"/> NO

VICTIM STATEMENT: (If unable to contact, state reason(s) in this section.)

THIS VICTIM IS IN REGARD TO THE PETITION DATED MAY 11, 1993. AT THE TIME OF DICTATION, THE VICTIM WAS UNAVAILABLE FOR STATEMENT. PROBATION OFFICER HAVE LET TWO MESSAGES ON THE VICTIM'S ANSWERING MACHINE INSTRUCTING THE VICTIM TO CONTACT THE PROBATION DEPARTMENT REGARDING THE PRESENT MATTER. IF ANY INFORMATION IS RECEIVED FROM THE VICTIM PRIOR TO THE COURT DATE, IT WILL BE FORWARDED TO THE COURT.

RESTITUTION SUMMARY	TOTAL NUMBER OF VICTIMS	ESTIMATED LOSS TO ALL VICTIMS
IS THERE INSURANCE TO COVER RESTITUTION: <input type="checkbox"/> YES <input type="checkbox"/> NO	INSURANCE COMPANY NAME/ADDRESS/TELEPHONE NO	
PAYMENT PLAN		

VICTIM LIST CONTINUES NEXT PAGE

SENT BY: Superior Court

110- 1-93 10:42AM :

21 22212-0 1 2 3 4 5 6 7 8 9 :# ?

PRIOR RECORD:

SOURCES OF INFORMATION

☐ Juvenile Court Records
☐ Other (Specify)

☐ Minor ☒ JAI
☐ Police ☒ Probation Records

AKA'S:

AGE 14 2/20/92 - LAPD/77TH - COUNT I: 211 PC/12022.5
PC (ARMED ROBBERY WITH A HANDGUN). PETITION
REQUESTED AND FILED 2/20/92; SUSTAINED.
DISPOSITION: CAMP-COMMUNITY PLACEMENT.

AGE 15 1/4/93 - LAPD - COUNT I: 626.9 PC (FIREARM ON
SCHOOL CAMPUS), COUNT II: 12021(D) PC (POSSESSION
OF A HANDGUN). PETITION REQUESTED AND FILED
3/3/93. DISPOSITION: PENDING.

(THIS PERTAINS TO THE PRESENT MATTER.)

-6- (WHITE)

761969 - Prob 1264 - (Rev 12/92)

AA09395

1 **PERSONAL HISTORY:**2 SOURCES OF INFORMATION (this page)
3 GRANDMOTHER, PROBATION RECORDS4

5 RESIDENCE	6 TYPE RESIDENCE APARTMENT	7 LENGTH OF OCCUPANCY 3 YEARS	8 MONTHLY RENT \$13 A MONTH
9 OCCUPANTS OF THE HOME GRANDPARENTS, MINOR, FOUR AUNTS, TWO COUSINS			
10 EMPLOYMENT STATUS	11 Father: <input type="checkbox"/> EMPLOYED GRAND <input type="checkbox"/> UNEMPLOYED	12 OCCUPATION SECURITY GUARD	13 GROSS MONTHLY WAGE \$1,000
	14 Mother: <input type="checkbox"/> EMPLOYED <input checked="" type="checkbox"/> UNEMPLOYED	15 OCCUPATION SOCIAL SECURITY	16 GROSS MONTHLY WAGE UNK
	17 Minor: <input type="checkbox"/> EMPLOYED <input checked="" type="checkbox"/> UNEMPLOYED	18 OCCUPATION	19 GROSS MONTHLY WAGE
20 MINOR'S PRESENT / LAST EMPLOYER / ADDRESS		21 OTHER FAMILY INCOME SOURCE / AMOUNT SEE BELOW	

22 Additional Information

23 THE GRANDMOTHER RECEIVES \$2,000 A MONTH IN AID
24 TO FAMILIES WITH DEPENDENT CHILDREN (AFDC).

25 THE MINOR'S MOTHER IS CURRENTLY USING (CONT. PG 8)

26 **PHYSICAL/MENTAL/EMOTIONAL HEALTH:**27 HEALTH: ☐ GOOD ☒ FAIR ☐ POOR

28 ___ No indication or claim of significant mental/emotional health problem.

29 ___ See below: Indication/claim of significant physical/mental/emotional health problem.

30 Additional Information (Duration / Frequency / Severity of problem)

31 MINOR HAS A MILD CASE OF ASTHMA.

32 **SUBSTANCE ABUSE:**

33 ___ No record, indication, or admission of alcohol or controlled substance abuse.

34 X ___ Occasional or experimental use of ALCOHOL acknowledges

35 ___ See below: Indication/admission of significant substance abuse problem.

36 Additional Information

37 -7- (WHITE)

1 EMPLOYMENT STATUS: CONT.

2 ROCK COCAINE AND HAS LOST CUSTODY OF HER SON DUE TO HER DRUG
3 USAGE,
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-8- (WHITE)

78C892G - PROB. 5A 1/92

PERSONAL HISTORY:
(CONTINUED)

SOURCES OF INFORMATION (this page)

MINOR, GRANDMOTHER, PROBATION RECORDS,
SCHOOL

GANG ACTIVITY	<input checked="" type="checkbox"/> YES	Name of Gang 62ND STREET BRIMS
	<input type="checkbox"/> NO	

Additional information

BEHAVIOR IN SCHOOL	<input type="checkbox"/> Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Poor		
	SUSPENSION(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	DATE(S)	LENGTH(S)
REASON			

Additional information

THE MINOR STATED DURING HIS PROBATION INTERVIEW THAT HE ATTENDED THE YOUTH INTERVENTION PROGRAM, HOWEVER, THE PROBATION OFFICER WAS INFORMED THAT THE MINOR HAS NEVER BEEN ENROLLED IN THIS PROGRAM. ADDITIONALLY, THE MINOR'S GRANDMOTHER ACKNOWLEDGES THE FACT THAT THE MINOR WILL NOT ATTEND SCHOOL.

-9- (WHITE)

76J969-Prob. 1264- (Rev. 12/92)

AA09398

MINOR'S STATEMENT:

AS PER LEGAL COUNSEL, THE PROBATION OFFICER WAS NOT TO INTERVIEW THE MINOR REGARDING THE FACTS OF ANY POLICE CONTACTS.

THE MINOR STATED THAT HE IS INVOLVED IN THE 62ND STREET BRIMS GANG AND DENIES ANY DRUG USAGE. THE MINOR STATES THAT HE IS PERFORMING WELL AT HOME. LASTLY, THE MINOR FEELS THAT HE SHOULD BE TRIED ON THE JUVENILE LEVEL.

PARENTS' STATEMENT:

THE MINOR'S GRANDMOTHER, JANE EDWARDS WAS INTERVIEWED IN REGARD TO THE PRESENT MATTER. SHE STATED SHE DID NOT KNOW THE PARTICULARS OF THE PRESENT OFFENSE. SHE STATED THAT SHE HAS HAD HER GRANDSON SINCE 1984 AND HAS NO CONTROL OVER HIM. SHE STATES THAT HE IS DIFFICULT, UNCOOPERATIVE IN THE HOME AND WILL NOT GO TO SCHOOL. SHE STATED THAT THE MINOR HAD A WARRANT ISSUED FOR HIS ARREST DUE TO THE FACT THAT HE DID NOT RETURN HOME TO GO TO COURT.

THE MINOR'S GRANDMOTHER ACKNOWLEDGES THAT HE IS A GANG MEMBER BUT IS NOT SURE WHETHER HE USES DRUGS OR NOT.

LASTLY, THE MINOR'S GRANDMOTHER STATED THAT THE MINOR IS ACTING LIKE AN ADULT SO HE SHOULD BE TRIED AS ADULT.

CONDUCT UNDER SUPERVISION:

ACCORDING TO THE SUPERVISION OFFICER OF RECORD ON FEBRUARY 28, 1992, THE MINOR RECEIVED CAMP-COMMUNITY PLACEMENT.

-10- (WHITE)

76C882G - PROB. 5A 1/93

AA09399

1 IN AUGUST OF 1992, THE MINOR WAS RELEASED FROM CAMP KILPATRICK.
2 THE MINOR PERFORMED SATISFACTORILY IN CAMP. SUBSEQUENT TO THAT
3 DAY, THE MINOR'S PERFORMANCE UNDER PROBATION SUPERVISION HAS
4 BEEN MARGINAL TO UNSATISFACTORY. IN THAT, THE MINOR IS NOT
5 ATTENDING SCHOOL. THE MINOR IS CONTINUING TO HAVE CONTACT WITH
6 POLICE AND IS UNCONTROLLABLE IN THE HOME.

7 LASTLY, THE MINOR IN VIOLATION OF CONDITIONS
8 1, 2, 6, 15 AND 15A AS IT RELATES TO THE CURRENT MATTER.

9 BEHAVIORAL EVALUATION:

10 SECTION 707(C) OF THE WELFARE AND INSTITUTIONS
11 CODE (WIC) MANDATES A CONSIDERATION OF THE MINOR'S AMENABILITY
12 AS TO THE FIVE PRESCRIBED CRITERIA:

13 1. CRIMINAL SOPHISTICATION:

14 THE MERE FACT THAT THE MINOR WAS ARMED AT
15 SCHOOL INDICATES A DEGREE OF SOPHISTICATION
16 AND GANG PARTICIPATION. THE MINOR'S
17 OVERALL BEHAVIOR APPEARS TO BE INCREASING
18 IN SOPHISTICATION, IN THAT, THE MINOR USES
19 WEAPONS TO CONFRONT HIS ENEMIES EVEN A
20 VERBAL CONFRONTATION. THE MINOR'S CRIMINAL
21 ACTIVITIES APPEARS TO BE ESCALATING IN FREQUENCY
22 AS WELL AS SERIOUSNESS. THE MINOR'S OVERALL
23 MENTAL DEemeanor APPEARS TO BE THAT OF AN
INDIVIDUAL WITH NO RESPECT FOR AUTHORITY
AND/OR ADULTS AS IF HE WERE ACTUALLY AN ADULT
HIMSELF. THEREFORE, THE MINOR IS DEEMED
UNFIT AS TO THIS CATEGORY.

2. EXPIRATION OF COURT'S JURISDICTION:

THE MINOR IS 16 YEARS OF AGE AND THE POSSIBILITY
REHABILITATING THE MINOR PRIOR TO THE EXPIRATION

1 OF THE JUVENILE COURT'S JURISDICTION SEEMS
2 LIKELY. ALTHOUGH THE MINOR HAS BEEN PHYSICALLY
3 PLACED IN CAMP, HE STILL HAS THE OPTION
4 OF THE CALIFORNIA YOUTH AUTHORITY (CYA)
5 AVAILABLE TO HIM. THEREFORE, THE MINOR IS
6 DEEMED AMENABLE AS TO THIS CATEGORY.

7 3. PREVIOUS DELINQUENT HISTORY:

8 THE MINOR HAS HAD THREE CONTACTS WITH LAW
9 ENFORCEMENT TO DATE. THOSE ARRESTS INCLUDE
10 VEHICLE CHARGES, GUN CHARGES AND ROBBERY.
11 ALTHOUGH THE MINOR'S CRIMINAL HISTORY IS
12 AN EXTREMELY LONG, THE NATURE OF THE MINOR'S
13 CRIMES ARE EQUIVALENT TO THAT OF A VERY INVOLVED
14 DELINQUENT CRIMINAL HISTORY. THEREFORE,
15 THE MINOR IS DEEMED UNFIT AS TO THIS CATEGORY.

16 4. PREVIOUS ATTEMPTS TO REHABILITATE THE MINOR:

17 THE MINOR HAS THE BENEFIT OF CAMP-COMMUNITY
18 PLACEMENT AND HOME ON PROBATION WHICH BOTH
19 HAVE PROVEN TO BE INEFFECTIVE IN REHABILITATING
20 THE MINOR. HOWEVER, A CONSIDERABLE AMOUNT
21 OF CONFINEMENT TIME IN CYA IS A FEASIBLE
22 OPTION IN REGARDS TO REHABILITATING THIS
23 MINOR. THEREFORE, THE MINOR IS AMENABLE
AS TO THIS CATEGORY.

5. CIRCUMSTANCES AND GRAVITY OF THE OFFENSE:

THE CIRCUMSTANCES AND GRAVITY OF THE OFFENSES
IS THE PARAMOUNT REASON THAT THE MINOR WOULD
BE UNFIT FOR JURISDICTION, CARE AND TREATMENT
OF PROGRAMS AVAILABLE TO THE MINOR AND THE
JUVENILE COURT SYSTEM. THE MINOR'S BEHAVIOR
HAS SHOWN A CALLOUS DISREGARD FOR HUMAN LIFE,
IN THAT, THE MINOR WAS IN POSSESSION OF A
HANDGUN ON SCHOOL PREMISES. FURTHERMORE,
THE MINOR'S ACTIONS OF ATTEMPTING TO EVADE
THE POLICE AND DRIVING A STOLEN CAR COULD
HAVE RESULTED IN THE FATAL INJURY OF THE
MINOR, HIS COMPANIONS OR INNOCENT BYSTANDERS.
FURTHERMORE, THE MINOR'S GANG ACTIVITY PROMPTED

-12- (WHITE)

76C892G - PROB. 5A 1/82

AA09401

1 HIM TO BRING A WEAPON IN A PUBLIC PLACE AND
2 IT IS DOUBTFUL THAT THE MINOR WAS IN FEAR
3 OF HIS LIFE. AGAIN, DEMONSTRATING THAT HE
4 HAS NO RESPECT FOR OTHERS OR AUTHORITY, AS
WELL AS THE RULES AND REGULATIONS OF THE
COURT AND THAT OF THE SCHOOL SYSTEM. THEREFORE,
THE MINOR IS UNFIT AS TO THIS CATEGORY.

5 RECOMMENDATION:

6 IT IS RECOMMENDED THAT THE MINOR BE FOUND UNFIT
7 FOR CONSIDERATION PROVISIONS OF THE JUVENILE COURT LAW;
8 THAT THE COURT DIRECT THE PROSECUTING ATTORNEY TO FILE AN
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-13- (WHITE)

78C882G - PROB. SA 1/92


AA09402

1 ACCUSATORY PLEA AGAINST THE MINOR IN COURT OF CRIMINAL JURISDICTION;
2 THAT THE ORDER FOR DETENTION REFLECT THAT THE MINOR BE RELEASED
3 TO THE CUSTODY OF LAW ENFORCEMENT PERSONNEL FOR TRANSPORTATION
4 TO AND FROM ADULT PROCEEDINGS; THAT THE MINOR REMAIN DETAINED
5 IN JUVENILE HALL; THAT THE PETITION BE DISMISSED WITHOUT PREJUDICE.
6 RESPECTFULLY SUBMITTED,

7 BARRY J. NIDORF,
8 PROBATION OFFICER

9 BY 
10 RHONDA MAYBERRY, DEPUTY
11 CENTINELA AREA OFFICE
(213) 418-3166

12 READ AND APPROVED:
13

14 
15 BILLY PUGH, SDPO
16 (213) 418-3184

17 SUBMITTED: 6/24/93
18 TYPED: 6/25/93
19 RM:CJ (8)
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EXHIBIT 118

EXHIBIT 118

COURT COPY

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES

PROBATION OFFICER'S REPORT

REPORT SEQUENCE NO. 1

DEFENDANT'S NAME(S) JOHN WHITE AKA: DEKO				COURT WEST-B	JUDGE NEIDORF	COURT CASE NO. SA014380
ADDRESS (IF DIFFERENT FROM RELEASE) [REDACTED] PH (213) [REDACTED]				HEARING DATE (THURS) 8-26-93	DEFENSE ATTY.	PROSECUTOR
BIRTHDATE [REDACTED]	AGE 16	SEX MALE	RACE BLACK	DPO S. THOMPSON	AREA OFFICE SM--A02	PHONE NO. (310) 458-5488
CITIZENSHIP STATUS U.S.		DRIVER'S LICENSE/EXP. DATE		TYPE REPORT <input type="checkbox"/> Probation and sentence <input checked="" type="checkbox"/> Pre-Conviction (131.3 CCP) <input type="checkbox"/> Post sentence <input type="checkbox"/> Diversion (Specify) _____		
PROBATION NO. X- 1515667	CII NO A10014785	BOOKING NO. 3565610				
DAYS IN JAIL THIS CASE <input checked="" type="checkbox"/> ESTIMATED <input type="checkbox"/> VERIFIED 80		CUSTODY STATUS/RELEASE DATE REMANDED				

PRESENT OFFENSE: LEGAL HISTORY

CHARGED with the crimes of (INCLUDE PRIORS, ENHANCEMENTS OR SPECIAL CIRCUMSTANCES)

COUNT 1: 211 PC (2ND DEGREE ROBBERY) + SPECIAL ALLEGATION OF 12022(A)(1) PC.

CONVICTED of the crimes of (INCLUDE PRIORS, ENHANCEMENTS OR SPECIAL CIRCUMSTANCES)

PRE-PLEA INVESTIGATION.

CONVICTED BY	DATE OF CONVICTION/REFERRAL 8-9-93	COUNT(S) CONTINUED TO P & S FOR DISPOSITION NONE
PROPOSED PLEA AGREEMENT NONE		SOURCES OF INFORMATION PROBATION REFERRAL
DATE(S) OF OFFENSE 6-8-93		TIME(S) 1:40 P.M.
DEFENDANT: (SEE PRIOR RECORD SECTION) <input type="checkbox"/> (JUVENILE) <input checked="" type="checkbox"/> ON PROBATION <input type="checkbox"/> ON PAROLE-REMAINING TIME _____	<input type="checkbox"/> SENTENCED TO STATE PRISON/COUNTY JAIL ON CASE _____ <input type="checkbox"/> PENDING PROBATION VIOLATION <input type="checkbox"/> PENDING NEW CASE	HOLD/WARRANTS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

RECOMMENDATION:

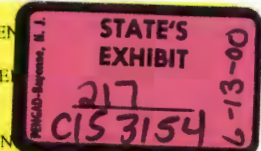
PROBATION ☐ DENIAL ☒ DIAGNOSTIC STUDY ☐ CYA ☐ OTHER _____
☐ COUNTY JAIL ☒ 707.2 WIC
☐ STATE PRISON ☐ 1203.03 PC

- 1 -

76P7258-Prob. 19SC (Rev. 8/91)



MARKED FOR IDENTIFICATION
STATE'S PROPOSED
STATE V JOHNSON



AA09405

1 PRESENT OFFENSE:
2 (CONTINUED)

SOURCES OF INFORMATION (this page)

(ARREST REPORT NOT PROVIDED W/PROBATION REFERRAL)

3 ARREST DATE	TIME	BOOKED AS	OFFENSE	LOCATION OF ARREST	ARRESTING AGENCY
4					
5					
6					
7					

8 CO-DEFENDANT(S)	CASE NO.	DISPOSITION
9 MICHAEL WALTON	SA014380	PENDING.
10 [REDACTED]	(JUVENILE COURT)	--
	(JUVENILE COURT)	--

12 ELEMENTS AND RELEVANT CIRCUMSTANCES OF THE OFFENSE:

13 THE DEFENDANT AND THREE ACCOMPLICES ENTERED
14 CEN-FED BANK AND COMMITTED AN ARMED ROBBERY.

15 ON JUNE 8TH, 1993, AT APPROXIMATELY 1:40 P.M.,
16 FOUR MALES (JONES, WHITE, WALTON, AND [REDACTED]) ENTERED CEN-FED
17 BANK. [REDACTED], ARMED WITH A SEMI-AUTOMATIC HANDGUN, STATED, "THIS
18 IS A ROBBERY. EVERYONE GET DOWN!" [REDACTED] AND WHITE ADVANCED OVER
19 THE TELLER COUNTER. THEY ATTEMPTED TO OPEN THE LOCKED TELLER
20 DRAWERS. STACY [REDACTED], TELLER, GAVE [REDACTED] HER TELLER KEYS.
21 JONES REMOVED \$1,212. IN MISCELLANEOUS CURRENCY / BAIT MONEY.

22 WALTON AND [REDACTED] REMAINED IN THE LOBBY AREA.
23 WALTON MAINTAINED THEIR POSITION WITH THE USE OF A SAWED-OFF
24 SHOTGUN. HE ORDERED, "EVERYONE GET DOWN ON THE FLOOR!"

25 THEREAFTER, ALL FOUR SUBJECTS FLED IN A RYDER
26 MOVING VAN. OFFICERS WERE PROVIDED WITH A DESCRIPTION OF THE
27 VEHICLE. OFFICERS OBSERVED THE SUSPECTS' VEHICLE TRAVELING EAST-
28 BOUND ON THE 10 FREEWAY AT WASHINGTON BOULEVARD. OFFICERS ATTEMPTED

-2- (WHITE)

1 TO MAKE A VEHICLE STOP. WHITE, THE DRIVER OF THE VAN, REFUSED TO
2 COMPLY. A VEHICLE PURSUIT ENSUED. WHITE STOPPED THE VAN IN THE
3 VICINITY OF LA BREA AND COLISEUM. WALTON AND [REDACTED] FLED ON
4 FOOT. OFFICERS BINDER AND LEWIS TOOK [REDACTED] AND WHITE INTO CUSTODY.
5 OFFICERS SEARCHED THE IMMEDIATE AREA. WALTON AND [REDACTED] WERE
6 LOCATED AND TAKEN INTO CUSTODY. DURING THE PRE-BOOKING SEARCH,
7 DETECTIVE GRAYSON RECOVERED \$1,212. FROM [REDACTED] PANTS POCKET.
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-3- (WHITE)

76C892G - PROB. 5A 1/82

AA09407

VICTIM:

SOURCES OF INFORMATION (this page)

SANDRA GATLIN.

NAME	COUNT(S)
CEN-FED BANK	COUNT I.
INJURY: PROPERTY LOSS (TYPE / COST / ETC.)	
\$1,212. (RECOVERED)	
INSURANCE COVERAGE	
NO.	
LOSS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ESTIMATED LOSS NONE
RESTITUTION ALREADY MADE	
APPLIED FOR VICTIM RESTITUTION FUND <input type="checkbox"/> UNK <input type="checkbox"/> YES <input type="checkbox"/> NO	

VICTIM STATEMENT:

ON AUGUST 19TH, 1993, PROBATION OFFICER SPOKE WITH SANDRA [REDACTED], ASSISTANT MANAGER, CEN-FED BANK. THE TWO PRIMARY EMPLOYEES IMPACTED BY THE INSTANT MATTER WERE STACY [REDACTED] AND MS. [REDACTED]. [REDACTED] WAS UNABLE TO WORK FOR ONE WEEK. COUNSELING WAS PROVIDED BY CEN-FED BANK.

MS. [REDACTED] DESCRIBES THE ORDEAL AS VERY TRAUMATIC. AT THE TIME OF THE ROBBERY, SHE HID UNDER HER DESK. SHE WAS OBSERVED BY ONE OF THE SUSPECTS. AT GUNPOINT, HE ORDERED HER TO COME FROM UNDER HER DESK. SHE TRIED TO REMAIN CALM. YET, SHE WAS FRIGHTENED THAT HE WOULD BECOME AGITATED AND SHOOT HER. AFTER THE SUSPECTS LEFT THE BANK, SHE SOBBED UNCONTROLLABLY.

(CONTINUED PAGE 5)

"VICTIM NOTIFIED PURSUANT TO SECTION 1191.3(B) PENAL CODE."

RESTITUTION	TOTAL NUMBER OF VICTIMS	ESTIMATED LOSS TO ALL VICTIMS	VICTIM(S) NOTIFIED OF P&S HEARING
	1	NONE	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DOES DEFENDANT HAVE INSURANCE TO COVER RESTITUTION:		INSURANCE COMPANY NAME/ADDRESS/TELEPHONE NO.	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		N/A.	

-4- (WHITE)

VICTIM LIST CONTINUES NEXT PAGE

1 VICTIM STATEMENT (CON'T.):

2 IT WAS EXTREMELY DIFFICULT TO TESTIFY AT THE
3 PRELIMINARY HEARING. THE MERE SIGHT OF THE DEFENDANTS REKINDLED
4 HER FEAR. SHE WAS OVERCOME BY EMOTION AND INITIALLY, SHE WAS
5 UNABLE TO TESTIFY.

6 SHE ALSO MET WITH THE THERAPIST PROVIDED BY THE
7 BANK. FOR A WEEK AND A HALF, THE THERAPIST ASSISTED HER WITH
8 MANAGING HER FEELINGS. ALTHOUGH SHE WAS FUNCTIONING, SHE WAS
9 VERY DEPRESSED. SIMPLY DRIVING IN THE AREA WHERE THE DEFENDANTS
10 WERE APPREHENDED, MAKES HER NERVOUS.
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-5- (WHITE)

1 PRIOR RECORD:

SOURCES OF INFORMATION (1NN page)

JUVENILE PROBATION RECORD (8-19-93),
AND CLETS (8-13-93).

3 AKA'S:

JOHN LEE WHITE

4 JUVENILE HISTORY:

5 2-16-92

LAPD - 211 PC (ROBBERY: ARMED WITH DANGEROUS OR
DEADLY WEAPON), & 10851 VC (TAKING VEHICLE WITHOUT
OWNER'S CONSENT / VEHICLE THEFT) - DETAINED
PETITION. 2-19-92 PETITION SUSTAINED, CAMP-
COMMUNITY PLACEMENT.

8 1-4-93

LAPD - 12021(D) PC (HAVING HANDGUN ON PROBATION),
& 626.1(A) PC (POSSESS WEAPON / ETC. AT SCHOOL);
NON-DETAINED PETITION. 3-22-93, FOUND UNFIT.

12 (THIS ARREST WAS INCLUDED TO SHOW A PATTERN OF CRIMINALITY.)

1 PERSONAL HISTORY:

SOURCES OF INFORMATION (this page)

2 DEFENDANT.

3 SUBSTANCE ABUSE:

4 No record, indication, or admission of alcohol or controlled substance abuse.

5 X Occasional social or experimental use of ALCOHOL acknowledged.

6 X See below: Indication / admission of significant substance abuse problem.

7 Referred to Narcotic Evaluator ☐ Yes ☐ No Narcotic Evaluator's report attached

8 Additional Information

9
10 AT AGE 15, DEFENDANT BEGAN SMOKING MARIJUANA.
11 HE SMOKES MARIJUANA APPROXIMATELY FOUR TIMES A WEEK.
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21 PHYSICAL / MENTAL / EMOTIONAL HEALTH:

22 No indication or claim of significant physical / mental / emotional health problem.

23 X See below: Indication / claim of significant physical / mental / emotional health problem.
24

25 Additional Information

26 DEFENDANT SUFFERS WITH ASTHMA. ALSO, HE HAS
27 LINGERING AFFECTS FROM A BROKEN ANKLE THAT HE SUFFERED ABOUT
28 FIVE YEARS AGO.
29

-7- (WHITE)

1 PERSONAL HISTORY:
2 (CONTINUED)

SOURCES OF INFORMATION (this page)

DEFENDANT.

3 RESIDENCE	4 TYPE RESIDENCE APARTMENT	5 LENGTH OF OCCUPANCY 2 YEARS	6 MO/TOOK /RENT -0-	7 RESIDES WITH/RELATIONSHIP GRANDMOTHER
8 RESIDENTIAL STABILITY LAST FIVE YEARS GOOD		9 CAME TO STATE / FROM NATIVE		10 CAME TO COUNTY / FROM NATIVE

Additional information

14 MARRIAGE / PARENTHOOD	15 MARITAL STATUS SINGLE / NO CHILDREN	16 NAME OF SPOUSE / PRESENT COHABITANT
17 LENGTH OF UNION	18 NO. OF CHILDREN THIS UNION	19 SUPPORTED BY
20 NO. PRIOR MARRIAGES / COHABITATIONS	21 NO. OF CHILDREN THESE UNIONS	22 SUPPORTED BY
23 NO. OF OTHER CHILDREN	24 SUPPORTED BY	

Additional information

25 FORMAL EDUCATION:

26 DEFENDANT COMPLETED THE 9TH GRADE. DEFENDANT
27 PURPORTS THAT HE ATTENDS THE YOUTH INTERVENTION PROGRAM.
28 HOWEVER, PROBATION OFFICER WAS INFORMED. (CONTINUED PAGE 9)

-8- (WHITE)

1 FORMAL EDUCATION (CON'T.):

2 THAT THE DEFENDANT HAS NEVER BEEN ENROLLED IN THIS PROGRAM.
3 ADDITIONALLY, THE DEFENDANT'S GRANDMOTHER ACKNOWLEDGED THAT
4 THE DEFENDANT WAS NOT ATTENDING SCHOOL.
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1 PERSONAL HISTORY:
2 (CONTINUED)

SOURCES OF INFORMATION (this page)

DEFENDANT.

EMPLOYMENT STATUS	<input type="checkbox"/> EMPLOYED	REFERRED TO WORK FURLOUGH	EMPLOYER AWARE OF PRESENT OFFENSE	
	<input checked="" type="checkbox"/> UNEMPLOYED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> YES <input type="checkbox"/> NO
PRESENT/LAST EMPLOYER / ADDRESS / PHONE		OCCUPATION	PERIOD OF EMPLOYMENT	GROSS MONTHLY WAGE
<input type="checkbox"/> VERIFIED <input type="checkbox"/> UNVERIFIED		EMPLOYMENT STABILITY LAST 5 YEARS	TYPES OF PREVIOUS EMPLOYMENT	

Additional information

DEFENDANT DOES NOT HAVE A WORK HISTORY.

FINANCIAL STATUS	INCOME STABILITY	NET MONTHLY INCOME	
	N/A		
PRIMARY INCOME SOURCE	SECONDARY INCOME SOURCE(S)	EST. TOTAL ASSETS	EST. TOTAL LIABILITIES
		NONE	NONE
MAJOR ASSETS / ESTIMATED VALUE			
NONE.			
MAJOR LIABILITIES / ESTIMATED AMOUNT (MONTHLY)			
NONE.			

Additional information

GANG ACTIVITY ☒ YES ☐ NO Name of Gang (PLEASE SEE NEXT PAGE)

-10- (WHITE)

GANG ACTIVITY (CON'T.):

AT AGE 14, DEFENDANT BECAME A MEMBER OF 62 BRIM
(BLOODS). HIS MONIKER IS "DEKO."

-11- (WHITE)

76C892G - PROB. 5A 1/92

AA09415

1 DEFENDANT'S STATEMENT:

2 IN AS MUCH AS THIS IS A PRE-PLEA REPORT, DEFENDANT
3 WAS NOT INTERVIEWED REGARDING THE FACTS OF THE PRESENT OFFENSE.

4 INTERESTED PARTIES:

5 ON AUGUST 17TH, 1993, PROBATION OFFICER CONTACTED
6 INVESTIGATING OFFICER LICATA, (213) 485-0780. DURING THE JUVENILE
7 PROCEEDINGS, THE DEFENDANTS WERE JOKING AND PLAYING AROUND.
8 THE COURT HAD TO ADMONISH THEM. THEY HAVE BEEN MORE SUBDUED
9 FOR THE ADULT PROCEEDINGS. NEVERTHELESS, THEY HAVE NOT DISPLAYED
10 ANY REMORSE. THE VICTIMS HAVE BEEN EXTREMELY TRAUMATIZED.
11 TWO EMPLOYEES REQUIRED COUNSELING. WHILE TESTIFYING IN COURT,
12 ONE EMPLOYEE BEGAN TO CRY.

13 THE DEFENDANT IS A GANG MEMBER. OLDER GANG MEMBERS
14 RECRUIT YOUNGER GANG MEMBERS TO COMMIT CRIMES. IT IS WITH THE
15 BELIEF THAT THE COURT WILL BE MORE LENIENT ON A JUVENILE. HOWEVER,
16 DUE TO THE DEFENDANT'S CRIMINAL SOPHISTICATION AND THE SERIOUSNESS
17 OF THE OFFENSE, THE DEFENDANT SHOULD BE ORDERED TO STATE PRISON.

18 JANE EDWARDS, THE DEFENDANT'S GRANDMOTHER, WAS
19 INTERVIEWED IN REGARD TO THE INSTANT MATTER. SHE DID NOT KNOW
20 ANY OF THE PARTICULARS REGARDING THE OFFENSE.

21 SINCE 1984, THE DEFENDANT HAS LIVED WITH HER.
22 SHE DOES NOT HAVE ANY CONTROL OVER HIM. HE IS DIFFICULT AND
23 UNCOOPERATIVE AT HOME. HE WILL NOT ATTEND SCHOOL. ALTHOUGH

 -12- (WHITE)

1 SHE IS AWARE THAT THE DEFENDANT IS A GANG MEMBER, SHE CANNOT
2 CONFIRM OR DENY THAT HE USES NARCOTICS.

3 CONDUCT UNDER SUPERVISION:

4 ACCORDING TO THE SUPERVISION OFFICER OF RECORD
5 ON FEBRUARY 28TH, 1992, THE DEFENDANT RECEIVED CAMP-COMMUNITY
6 PLACEMENT. IN AUGUST OF 1992, THE DEFENDANT WAS RELEASED FROM
7 CAMP KILPATRICK. THE DEFENDANT PERFORMED SATISFACTORILY IN
8 CAMP. PRIOR TO THE DEFENDANT'S CONFINEMENT IN CAMP, HIS
9 PERFORMANCE UNDER PROBATION SUPERVISION WAS MARGINAL TO UNSATIS-
10 FACTORY. THE DEFENDANT WAS NOT ATTENDING SCHOOL. HE CONTINUED
11 TO HAVE ADVERSE CONTACT WITH LAW ENFORCEMENT AND HE WAS
12 UNCONTROLLABLE AT HOME.

13 THE DEFENDANT APPEARS TO BE IN VIOLATION OF
14 CONDITIONS OF PROBATION. HE WAS ORDERED TO OBEY ALL LAWS AND
15 OBEY PARENTS, PROBATION OFFICER, SCHOOL OFFICIALS AND CAMP STAFF.
16 HE WAS FURTHER ORDERED NOT TO ENGAGE IN ANY TYPE OF DELINQUENT
17 BEHAVIOR. DEFENDANT WAS NOT TO ASSOCIATE WITH ANYONE DISAPPROVED
18 OF BY HIS PARENT OR PROBATION OFFICER. HE WAS FURTHER ORDERED
19 NOT TO PARTICIPATE IN ANY TYPE OF GANG ACTIVITY.

20 EVALUATION:

21 THE DEFENDANT'S CRIMINAL SOPHISTICATION HAS
22 ESCALATED. ALSO, THE FREQUENCY OF CRIMINAL ACTIVITY HAS INCREASED.
23 HE DOES NOT HAVE ANY RESPECT FOR AUTHORITY AND/OR ADULTS.

-13- (WHITE)

1 REHABILITATIVE EFFORTS HAVE FAILED. CAMP-COMMUNITY PLACEMENT
2 AND HOME ON PROBATION HAVE PROVEN INEFFECTIVE IN MODIFYING HIS
3 DEVIANT BEHAVIOR. HE IS DEFINITELY CONSIDERED A THREAT TO SOCIETY.
4 THERE IS NOT ANY INDICATION THAT HE IS REMORSEFUL. FOR THE
5 SAFETY AND WELFARE OF THE COMMUNITY, PROBATION IS NOT CONSIDERED
6 APPROPRIATE IN THE INSTANT MATTER.

7 IF THE DEFENDANT IS FOUND GUILTY, IT APPEARS THAT
8 HE IS INELIGIBLE FOR COMMITMENT TO THE CALIFORNIA YOUTH AUTHORITY.
9 HOWEVER, IT IS MANDATED THAT HE BE DIAGNOSED BY THE CALIFORNIA
10 YOUTH AUTHORITY PURSUANT TO SECTION 707.2 WELFARE & INSTITUTIONS
11 CODE. IF THE DEFENDANT IS FOUND INELIGIBLE FOR COMMITMENT, DUE
12 TO HIS AGE, THE COURT MAY WISH TO CONSIDER HOUSING THE DEFENDANT
13 AT THE CALIFORNIA YOUTH AUTHORITY UNDER A STATE PRISON COMMITMENT.

14 SENTENCING CONSIDERATIONS:

15 THE DEFENDANT IS INELIGIBLE FOR PROBATION PURSUANT
16 TO SECTION 1203(E)(2) PENAL CODE, UNLESS THE COURT DETERMINES
17 THIS IS AN UNUSUAL CASE.

18 CIRCUMSTANCES IN AGGRAVATION:

- 19 1. THE CRIME INVOLVED GREAT VIOLENCE, GREAT BODILY
20 HARM, THREAT OF GREAT BODILY HARM, OR OTHER
21 ACTS DISCLOSING A HIGH DEGREE OF CRUELTY,
22 VICIOUSNESS OR CALLOUSNESS.
23 2. THE PLANNING, SOPHISTICATION OR PROFESSIONALISM
WITH WHICH THE CRIME WAS CARRIED OUT, OR OTHER
FACTS, INDICATE PREMEDITATION.

1 3. THE DEFENDANT'S PRIOR ADJUDICATIONS OF COMMISSION
2 OF CRIMES AS A JUVENILE ARE NUMEROUS OR OF
INCREASING SERIOUSNESS.

3 4. THE DEFENDANT WAS ON PROBATION WHEN HE COMMITTED
4 THE CRIME.

5 5. THE DEFENDANT'S PRIOR PERFORMANCE ON PROBATION
6 WAS UNSATISFACTORY.

7 CIRCUMSTANCES IN MITIGATION:

8 NONE.

9 WITH THE PRESENCE OF ONLY AGGRAVATING CIRCUMSTANCES
10 IN THIS MATTER, AND IF THE DEFENDANT IS SENTENCED TO STATE PRISON,
11 THE HIGH-BASE TERM SHOULD BE IMPOSED.

12 RECOMMENDATION:

13 IF CONVICTED, IT IS RECOMMENDED THAT THE DEFENDANT
14 BE COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY FOR DIAGNOSIS
15 AND RECOMMENDATION PURSUANT TO SECTION 707.2 OF THE WELFARE AND
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1 INSTITUTIONS CODE.

2 RESPECTFULLY SUBMITTED,

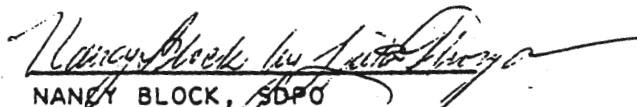
3 BARRY J. NIDORF,
4 PROBATION OFFICER

5 BY

6 
SHARON THOMPSON, DEPUTY
7 SANTA MONICA AREA OFFICE
TELEPHONE (310) 458-5488

8 READ AND APPROVED:

I HAVE READ AND CONSIDERED
THE FOREGOING REPORT OF THE
PROBATION OFFICER.

9
10 
11 NANCY BLOCK, SDPO
TELEPHONE: (310) 458-5465

JUDGE OF THE SUPERIOR COURT

12 (SUBMITTED 8-19-93)
13 (TYPED 8-24-93)
14 ST:LJN (8)

15 IF PROBATION IS GRANTED, IT IS RECOMMENDED
16 THAT THE COURT DETERMINES THE DEFENDANT'S ABILITY TO PAY COST OF
17 PROBATION SERVICES PURSUANT TO SECTION 1203.1(B) PENAL CODE
18 COST OF PRE-SENTENCE INVESTIGATION & PRE-SENTENCE REPORT: \$401.00
19 COST OF SUPERVISION: \$27.00.

20 SHOULD PROBATION BE GRANTED IN THIS MATTER
21 THE CASE WILL BE ASSIGNED TO THE CENTINELA AREA OFFICE.
22
23

-16- (WHITE)

EXHIBIT 119

EXHIBIT 119



AA09422



EXHIBIT 120

EXHIBIT 120



AA09425

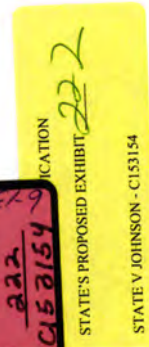


EXHIBIT 121

EXHIBIT 121

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group
CC To: ; Fifth Floor , Sergeant

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 02/15/01
Reporting Officer's P#: 5914
Housing Unit: 5C08
Post ID: Post0050 Security/CCDC

Incident Time: 2218
Reporting Officer's Name: Givens, T.
Report Date/Time: 02/15/2001 11:20 PM

Short Description: Passing

Full Description:

During freetime, I saw I/M Johnson pass a note to I/M Reginald Johnson in 5C9. I told him to lock it up. He complied without incident.

Action Taken:

L.O.F.T. on 02/16/01. A/SGT. Zucker was notified.

MARKE

CASE #

PROPOS



AA09428

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE (01586283)

Report Date/Time: 06/03/2003 08:43:37 AM

Officer's Section

Officer's Section

Routed to: *Sergeant Sixth South*

Part 1

Incident Date:	06/03/03	Incident Time:	0800
Reporting Officer's P#:	6671	Reporting Officer's Name:	Rangel, J.
Housing Unit:	6J04	Post ID:	Post0s63 Security/CCDC
Sentenced?: 	No		

Rules Violated:

- 103 - Creating a minor disturbance within the facility
- 233 - Disrupting the safe and orderly operation of the facility
- 302 - Assaulting another person.

Details of the Incident (Who, What, Where, When, How, Why)

On the above date and time Inmate Johnson and Inmate Carter were out on free time. After only having 5 min. left of free time. I heard a pop sound, and observed Inmate Carter lunched over by day room door, covering his left eye with his hand. (302 Inmate Johnson was next to Inmate Carter with his hands clinched. Officer Winkler and I ordered both Inmates to lay down on their stomachs and place their hands behind their backs. (103)(233 Both Inmates complied and they were handcuffed with out incident. Nurse Dexter examined Inmate Carter and gave him an ice pack.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: Sgt. Robertson

Date/Time: 06-04-03 @ 1030 hr.

AA09429

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE (01586283)

Report Date/Time: 06/03/2003 08:43:37 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

Both inmates admitted that this was a continuation of a situation from 5C. Inmate Johnson was the aggressor, and Inmate Carter did not attempt to defend himself, nor retaliate. Inmate Johnson is currently here on an order to produce, and has a death sentence, therefor has nothing to lose. Due to this reason I feel that this inmate should be placed on Phase one of the Admin. Segregation .. Anything less would not have any impact on Inmate Johnson's behavior.

Supervisor's Review

Supervisor's Review

Notification To: *WatchCommander*

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ Yes

Supervisor's P#: 3346

Review Date: 06/04/2003 10:05 AM

Supervisor's Name: Robertson, M.

Supervisor's Investigation and Review:

Inmate Johnson said, " yeah, I am guilty" This is my first write up since coming back. That's all he had to say. He would not say what the assaults was about or why he did it.

Action Taken:

I/m cabbed and waiting a board hearing. Suggest 30 days in disciplinary for the above infraction.

AA09430

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

DSD Incident Report

KRUIDENIER, JOHN RAYMOND (00167893)

Notification To: ClassificationGroup

CC To: ; 0008 , Classification; Fifth Floor , Sergeant; Second South , Sergeant;
Transportation , Sergeant

Inmate(s): 00167893 - KRUIDENIER, JOHN RAYMOND

Incident Date: 07/07/03

Incident Time: 1115

Reporting Officer's P#: 5641

Reporting Officer's Name: Vargas, M.

Housing Unit: 2M15

Report Date/Time: 07/07/2003 11:36 AM

Post ID: PostFS01 FieldServices/CCDC

Short Description: Injury/left elbow

Full Description:

While returning from court, I/M Kruidenier states that I/M Johnson id# 1586283 pushed him while going down the stairs at court holding. I did not witness the incident and when I asked the other inmates present if any one witnessed it, no one replied. I did observe a small scrape with minor bleeding on Kruidenier's left elbow.

Action Taken:

Sgt. Coker notified. I/M treated by P.A. Ron on the 3rd. floor.

AA09431

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:04:34 AM

Officer's Section

Officer's Section

Routed to: *Sergeant Second Floor*

Part 1

Incident Date:	02/24/01	Incident Time:	2000
Reporting Officer's P#:	6188	Reporting Officer's Name:	Gonzalez, A.
Housing Unit:	2C10	Post ID:	Post0050 Security/CCDC
Sentenced?:	Yes		

Rules Violated:

F01 - Attempting to commit or aiding another person to commit any of the below-listed infractions shall be considered the same as the offense itself.

F13 - Fighting or wrestling with another person

F46 - Disrupting the safe and orderly operation of the facility

F52 - Battery

Details of the Incident (Who, What, Where, When, How, Why)

While in the module Office I was observing Inmate Johnson,D ID#1586283, Inmate Johnson,R ID#1685445 and Inmate Irias,O ID#1679155 on their freetime. Inmate Irias was standing in front of room 5c23 holding a spray bottle talking to the Inmate Cellestin who is currently housed in room 5c23. I seen Inmate Johnson,D and Inmate Johnson,R walk up the right stair case and then I seen Inmate Johnson,R wrap his arms from behind and held him in a bear hug while Inmate Johnson,D hit him continuously all over.(F52) At this time I called a Code Red 416 and Officer Hardy and myself ran over towards 5C while running outthere I seen both Inmate Johnson,R and Inmate Johnson,D grab Inmate Irias legs and throw Inmate Irias over the second tier at this time I called a Code Red 444 via radio.(F46,F52,F13,F01) Inmate Irias attempted to grab Inmate Johnson,R arm but Inmate Johnson,R pushed him over the second tier. While running in 5C Officer Hardy cuffed Inmate Jonson,D and I cuffed Inmate Johnson,R. Shortly after the code was called Sgt. Kelso and Sgt. G. Becker arrived on deck. After securing both Inmates Sgt. Kelso and Sgt. G. Becker accompanied me to go and check on Inmate Irias health. At this time nurse Jenny,Jim and nurse Nancy arrived and gave medical attention to Inmate Irias. After Inmate Irias spoke to the nurses they made a decision to have A.M.R respond. The responding medics were Moon,D, Majors,D and Trauma nurse Rath,S. At this time Inmate Irias was taken out of the facility by AMR accompanied by Officer Stewart.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: A. Gonzalez 6188

Date/Time: 02/25/01 0200

AA09432

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date: 10/28/99

Incident Time: 1840

Reporting Officer's P#: 5775

Reporting Officer's Name: Blaskie, R.

Housing Unit: 7F22U

Report Date/Time: 10/28/99 07:15 PM

Post ID: Post0070 Security/CCDC

Short Description: Refused Class

Full Description:

On the above date and time I/M Johnson refused to go to a scheduled GED class. I/M Johnson stated he signed up last year and is no longer interested in attending any GED classes because it is a waste of his time.

Action Taken:

Information only

AA09433

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 03/29/2001

The Board was introduced and accepted by the Inmate: ☐

Statement of Charges read and fully explained to the Inmate: ☐

Board Members:

Inmate Johnson, Donte enters a plea of: ☐

Inmate's Defense:

Finding of Fact:

Board's Determination: ☐

Disposition:

Disciplinary Action Taken:

Advised of Right to Appeal?: ☐

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Director of Support within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Deputy Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☐ No

Filed by: -- P#:

Filing Date:

Post ID:

AA09434

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

It is obvious that I/M Johnson saw Officer Getler and myself go into 5D with maintenance. He denied doing the flooding, but everyone that wasn't involved had their doors blocked so their floor wouldn't get wet. I/M Johnson had water 8 inches high on his wall. He obviously blocked his door, flooded the room, then unblocked the door to let the water go. He knows that there isn't much we can do to him because of his death sentence. I recommend that he stay in 2C while he is here, and that he be put on the admin. seg. program.

Supervisor's Review

Supervisor's Review

Notification To:

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ No

Supervisor's P#:

Review Date: 03/29/2001 12:59 PM

Supervisor's Name:

Supervisor's Investigation and Review:

Action Taken:

AA09435

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Officer's Section

Officer's Section

Routed to: *Sergeant Fifth Floor*

Part 1

Incident Date:	03/29/01	Incident Time:	0800
Reporting Officer's P#:	5735	Reporting Officer's Name:	Gardonio, D.
Housing Unit:	5C18	Post ID:	Post0050 Security/CCDC
Sentenced?:	Yes		

Rules Violated:

F46 - Disrupting the safe and orderly operation of the facility

Details of the Incident (Who, What, Where, When, How, Why)

At 0800, as Officer Getler and myself were exiting 5D, The maintenance person we were escorting noticed water in the dayroom of 5C. Upon further investigation we found water flowing off the top tier of 5C. We immediately shut off all the water in 5C. All the inmate workers were summoned from 5A and 5B to clean up the mess.(F46). Upon investigation of each room, we found that the water level marked on the wall in I/M Johnson's room was approximately 8 to 10 inches high.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: Gardonio

Date/Time: 03/29/01 1100

AA09436

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group
CC To: ; Second Floor , Sergeant

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date: 02/25/01
Reporting Officer's P#: 6673
Housing Unit: 2C10
Post ID: Post0022 Security/CCDC

Incident Time: 1600
Reporting Officer's Name: Zavsza, S.
Report Date/Time: 02/25/2001 04:39 PM

Short Description: Admin Phase 1

Full Description:

Classification Officer Smith informed us that I/M Johnson was on administrative segregation phase 1. I made a copy of the rules of administrative segregation and gave them to I/M Johnson. I told him to read it and I would answer any questions that he had. I went back in 5 minutes and asked him if he had any questions. He stated "How did I get on this?" I told him it was due to the incident in 5C on 02/24/01. He stated "OK."

Action Taken:

For info only. A/Sgt. Wooten notified.

AA09437

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

DETENTION SERVICES DIVISION
INMATE CONTACT INFORMATIONI. TO: WATCH COMMANDER X CLASSIFICATION MEDICAL PSYCHOLOGIST X OTHER 3RD FLOOR SGT. OTHERII. (1) INMATE NAME JOHNSON, DANTEID# 1586283 HOUSING UNIT 5E21L(2) INMATE NAME ID# HOUSING UNIT (3) INMATE NAME ID# HOUSING UNIT REPORT DATE 9/10/98REPORT TIME 1230III. INFORMATION: WHILE SUPERVISING INMATES OF TC 45E, I OBSERVEDINMATE JOHNSON TO BE TYPING A THREATENING LETTER TO AN UNKNOWN
PERSON. THE THREE LINES HE'D TYPED WERE FULL OF THREATS AND
CURSES. I ORDERED INMATE TO HAND OVER THE PAPER TO ME. INMATE
SNATCHED THE PAPER AWAY AND TORE IT INTO SMALL PIECES.I THEN DIRECTED INMATE JOHNSON TO THE DOOR AND CALLED FOR
TRANSPORT TO 5E. INMATE WAS ADVISED OF THE LIBRARY RULES,
AND GIVEN A 24 HR. LOCK DOWN.IV. ACTION TAKEN BY INITIATOR OR REVIEWING SUPERVISOR: INMATE TRANSPORTED TO 5E.V. INITIATED BY/R# MR. Dilly 1615LAST NAME PPS

REVIEWING SUPERVISOR/P#

Al Young SGT
LAST NAME PPS

VI. I HAVE REVIEWED THE ABOVE REPORT:

ROUTING	INITIALS	DATE	COMMENTS (IF ANY)
(1)			
(2)	<u>CD</u>	<u>9/15</u>	<u>write</u>
(3)			
(4)			
(5)			

DISTRIBUTION: GOLDENROD: TO PERSON(S) INDICATED AT TOP, THEN TO RECORDS SECTION FOR PLACEMENT IN INMATE(S) FILE.
YELLOW COPY: RELEVANT UNIT POST-CLIP BOARD.
BLUE COPY: RECORDS SECTION.

LVMPD DSD 80 (REV. 1-82)

AA09438

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Violation Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date:	05/12/04	Incident Time:	1915
Reporting Officer's P#:	7644	Reporting Officer's Name:	Molina, E.
Housing Unit:	5C12	Report Date/Time:	05/13/2004 01:34 AM
Post ID:	Post0050 Security/CCDC		

**SELECT AT LEAST ONE RULE VIOLATION. IF NO RULES WERE VIOLATED YOU
SHOULD CREATE A DSD INCIDENT REPORT INSTEAD OF A VIOLATION REPORT**

Rules Violated:

116 - Possession of unauthorized items, contraband, or clothing

Details of the Incident (Who, What, Where, When, How, Why)

Short Description: Newspaper in room

Full Description:

During room inspection of room 5C12, I found inmate johnson in the possession of a newspaper that did not belong to him. Inmate Johnson was informed he would lose his next available freetime.

Action Taken:

Loss of freetime for 05/13/04. Floor Sgt. notified.

AA09439

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Violation Report**

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To: ; Fifth Floor , Sergeant

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date:	05/02/04	Incident Time:	2045
Reporting Officer's P#:	4139	Reporting Officer's Name:	Jensen, D.
Housing Unit:	5C12	Report Date/Time:	05/03/2004 03:27 AM
Post ID:	Post0024 Security/CCDC		

**SELECT AT LEAST ONE RULE VIOLATION. IF NO RULES WERE VIOLATED YOU
SHOULD CREATE A DSD INCIDENT REPORT INSTEAD OF A VIOLATION REPORT**

Rules Violated:

- 117 - Being in an unauthorized area
- 126 - Found in red line area of module

Details of the Incident (Who, What, Where, When, How, Why)

Short Description: Passing under door.

Full Description:

30 minutes into inmate Johnsons' 60 minutes of freetime, I saw him pass a large paper object under 5C4.

Action Taken:

Loss of the remainder of his freetime. Sergeant Burns was notified.

AA09440

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Violation Report**

JOHNSON, DONTE

(01586283)

Notification To: Classification Group
CC To: ; Fifth Floor , Sergeant

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date:	06/30/03	Incident Time:	2335
Reporting Officer's P#:	4139	Reporting Officer's Name:	Jensen, D.
Housing Unit:	5C04	Report Date/Time:	07/01/2003 05:32 AM
Post ID:	Post0050 Security/CCDC		

**SELECT AT LEAST ONE RULE VIOLATION. IF NO RULES WERE VIOLATED YOU
SHOULD CREATE A DSD INCIDENT REPORT INSTEAD OF A VIOLATION REPORT**

Rules Violated:

116 - Possession of unauthorized items, contraband, or clothing

Details of the Incident (Who, What, Where, When, How, Why)

Short Description: Cadillac

Full Description:

During a routine room inspection, inmate Johnson had a cadillac hidden inside his room.

Action Taken:

Loss of freetime for 07/01/03. Floor Sergeant was notified.

AA09441

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

JOHNSON, DONTE (01586283)

Report Date/Time: 06/03/2003 08:43:37 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 06/05/2003

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☒

Board Members: C.P. Campbell: C.O. Burns

Inmate JOHNSON, DONTE enters a plea of: ☒ Guilty

Inmate's Defense:

Inmate stated, "It was over some personal stuff, and I'm guilty." No witnesses requested.

Finding of Fact:

The Board finds that an incident did occur and that Johnson was involved. Based on the inmate's admission, the Board finds Johnson guilty as charged.

Board's Determination: ☒ Guilty

Disposition:

The Board sentences Johnson to 30 days in disciplinary detention with CTS, opting to suspend 15 days. To Max 6-18-03.

Disciplinary Action Taken:

See above.

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ Yes
Filed by: -- P#: 4548

Filing Date: 06/18/03
Post ID:

AA09442

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

DSD Incident Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group

CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 02/21/03

Incident Time: 1100

Reporting Officer's P#: 4522

Reporting Officer's Name: Driscoll, G.

Housing Unit: PREBK

Report Date/Time: 02/21/2003 11:27 AM

Post ID: Sergeant First South/CCDC

Short Description: Max Custody Inmate

Full Description:

Above named inmate was brought into the facility to be booked in on an "Order to Produce" during an extremely busy time. I instructed that he be taken directly to 5C13 and changed out due to his past behavior within CCDC. During the process, his booking photo was not taken and he was not medically screened. At the convenience of staff, Johnson will be brought back to booking to have his fingerprints taken and also a booking photo taken.

Action Taken:

Nurse Kevin Kauffman was informed that he needed to have medical staff conduct a medical screen on the fifth floor.

AA09443

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Violation Report**

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	07/11/01	Incident Time:	2105
Reporting Officer's P#:	6675	Reporting Officer's Name:	Hamm, M.
Housing Unit:	5C10	Report Date/Time:	07/11/2001 10:36 PM
Post ID:	Post0050 Security/CCDC		

**SELECT AT LEAST ONE RULE VIOLATION. IF NO RULES WERE VIOLATED YOU
SHOULD CREATE A DSD INCIDENT REPORT INSTEAD OF A VIOLATION REPORT**

Rules Violated:

103 - Creating a minor disturbance within the facility

Details of the Incident (Who, What, Where, When, How, Why)

Short Description: Cadillac

Full Description:

I observed a cadillac coming from Inmate Johnsons room. I retrieved it and warned him about his actions. Ten minutes later I observed another cadillac going into Johnsons room. I then informed him he had lost his freetime for the day.

Action Taken:

LOFT 07/11/01 Sgt. Rudolph Notified

AA09444

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

DSD Incident Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group

CC To:

Inmate(s): 01689953 - BROWN, MELVIN MICHAEL III , 01686480 - CISNEROS, EDUARDO
CRISTOBAL , 01460836 - CLARKE, TIMOTHY SALVATORE , 01586283 -
JOHNSON, DONTE , 01074931 - NIEVES, RAMON ANTHONY JR ,
01241469 - RUNION, TRAVIS EARL

Incident Date: 07/04/01

Incident Time: 2220

Reporting Officer's P#: 5036

Reporting Officer's Name: Askins, K.

Housing Unit: 5C10

Report Date/Time: 07/05/2001 03:04 AM

Post ID: Post0050 Security/CCDC

Short Description: LOFT

Full Description:

The above inmates were involved in group disruptive behavior, excessive noise. They continuously kicked and banged on there doors for a good hour. They were warned that LOFT would be given if kicking and banging continued. All the inmates listed above continued to kick and bang after being warned. Theses inmates were confirmed by watching the DRC panel, open door lights flickering repeatedly. There were possibly more inmates involved.

Action Taken:

Acting Sgt Scobie was notified of incident, the entire 5C module, water was turned off for a hour and a half due to a chance of flooding. Sgt Karkos was also on deck and observed and heard the noise.

AA09445

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 05/18/2001

Incident Time: 0030

Reporting Officer's P#: 6904

Reporting Officer's Name: Cortes, M.

Housing Unit: 5D18

Report Date/Time: 05/18/2001 04:12 AM

Post ID: Post0050 Security/CCDC

Short Description: Cadillacing

Full Description:

On the above date and time I/M Johnson was seen cadillacing with room 5D06. Both inmates involved were given loss of freetime.

Action Taken:

LOFT given for 05/18/2001. Sgt. G. Becker notified via report.

AA09446

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group

CC To:

Inmate(s): 

Incident Date: 04/09/01

Reporting Officer's P#: 6909

Housing Unit: 5C07

Post ID: Post0050 Security/CCDC

Incident Time: 1430

Reporting Officer's Name: Temple, B.

Report Date/Time: 04/09/2001 03:41 PM

Short Description: Possible confrontation

Full Description:

During afternoon med pass officer Dixon and myself were escorting the nurse to 5c. We asked Johnson to hang up the phone and go back to his room for about five minutes and then we would let him back out for his free time. At first Johnson refused to go back to his room, he stepped forward towards officer Dixon and myself. I asked him to not step any further which he complied with but told me and Dixon that we are fortunate that he is a good guy. Because since he was on a long distance call which just began (2) mins ago he would be charged for the full (10) mins, and he was pissed off. I asked him again to go back to his room at this time he agreed and went back to his room without any further incident.

Action Taken:

Johnson agreed and went back to his room. For Information only.

AA09447

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

PEREZ, CARLOS MAXIMINO (00857086)

Notification To: ClassificationGroup

CC To:

Inmate(s): 01586283 - JOHNSON, DONTE , 01685445 - JOHNSON, REGINALD ANDRE
01074931 - NIEVES, RAMON ANTHONY JR

Incident Date: 04/06/01
Reporting Officer's P#: 5911
Housing Unit: 5C13
Post ID: Post0050 Security/CCDC

Incident Time: 2340
Reporting Officer's Name: Teel, W.
Report Date/Time: 04/06/2001 11:51 PM

Short Description: Passing / Receiving

Full Description:

On the above date and approximate time, I/M Perez was seen by me passing unknown contraband to the above named I/M's. All I/M's were informed of their L.O.F.T.'s.

Action Taken:

Given L.O.F.T.'s for 04/07/01 with the exception of I/M Nieves who lost his freetime for 04/08/01. Sgt. Becker notified via report.

AA09448

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

NIEVES, RAMON ANTHONY JR (01074931)

Notification To: Classification Group

CC To:

Inmate(s): 01586283 - JOHNSON, DONTE , 01212890 - MOTU, CUSIMIRO

Incident Date: 04/05/01

Incident Time: 2054

Reporting Officer's P#: 5911

Reporting Officer's Name: Teel, W.

Housing Unit: 5C04

Report Date/Time: 04/06/2001 12:12 AM

Post ID: Post0050 Security/CCDC

Short Description: Passing / receiving

Full Description:

On the above date, these inmates were seen either passing or receiving contraband during their freetime. All the above named inmates were informed of their L.O.F.T.'s.

Action Taken:

Given L.O.F.T.'s for 04/07/01. Sgt. Becker notified via report.

AA09449

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): 

Incident Date: 04/03/01

Reporting Officer's P#: 6909

Housing Unit: 5C07

Post ID: Post0050 Security/CCDC

Incident Time: 1440

Reporting Officer's Name: Temple, B.

Report Date/Time: 04/03/2001 02:48 PM

Short Description: Possible weapon

Full Description:

During a shake down with the academy recruits. They found the plastic part from the ear piece of the glasses could be removed exposing the metal part of the glasses. This could be used as a weapon.

Action Taken:

The glasses were removed from his cell and put into his property.

AA09450

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Officer's Section

Officer's Section

Routed to: Sergeant Fifth Floor

Part 1

Incident Date:	03/29/01	Incident Time:	0800
Reporting Officer's P#:	5735	Reporting Officer's Name:	Gardonio, D.
Housing Unit:	5C18	Post ID:	Post0050 Security/CCDC
Sentenced?: 	Yes		

Rules Violated:

F46 - Disrupting the safe and orderly operation of the facility

Details of the Incident (Who, What, Where, When, How, Why)

At 0800, as Officer Getler and myself were exiting 5D, The maintenance person we were escorting noticed water in the dayroom of 5C. Upon further investigation we found water flowing off the top tier of 5C. We immediately shut off all the water in 5C. All the inmate workers were summoned from 5A and 5B to clean up the mess. (F46 Upon investigation of each room, we found that the water level marked on the wall in I/M Johnson's room was approximately 8 to 10 inches high.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: Gardonio

Date/Time: 03/29/01 1100

AA09451

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

It is obvious that I/M Johnson saw Officer Getler and myself go into 5D with maintenance. He denied doing the flooding, but everyone that wasn't involved had their doors blocked so their floor wouldn't get wet. I/M Johnson had water 8 inches high on his wall. He obviously blocked his door, flooded the room, then un-blocked the door to let the water go. He knows that there isn't much we can do to him because of his death sentence. I recommend that he stay in 2C while he is here, and that he be put on the admin. seg. program.

Supervisor's Review

Supervisor's Review

Notification To: WatchCommander

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ Yes

Supervisor's P#: 4828

Review Date: 03/29/2001 12:22 PM

Supervisor's Name: Emil, B.

Supervisor's Investigation and Review:

I responded to the incident from the 5th floor Sgt.'s office, as soon as the officers discovered the problem. After shutting off all water in the module, and having workers respond, we started investigating room to room. Most rooms were completely dry, because they blocked their doors with a towel. A couple were wet, because they were sleeping, or didn't know enough to use their towel. When we inspected I/M Johnson, Donte's room, we found a thoroughly wet floor, with the water line stopping just below his bunk. His towels were also completely soaked. It was quite obvious what he had done. At that time I asked him why he did it. He claimed that he was not involved. He even made the statement "I didn't do shit." When I checked his file, I found 29 information reports, and six CAR's. None of them were for flooding. However, I/M Johnson has a reputation as a problem child. Quite a few of his prior write ups were for disrespect. He has been playing games since his first incarceration. During his last housing, he attempted to murder another I/M, by throwing him off the top tier. He was placed on administrative segregation at that time. He has left, and returned since then. I concur with the recommendation he be placed on administrative segregation, phase one. I recommend he continue to be housed in 2C until graduating to phase two.

Action Taken:

Moved to 2C03 without further incident.

AA09452

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

Johnson, Donte (01586283)

Report Date/Time: 03/29/2001 08:58:13 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 04/02/2001

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☒

Board Members: C.P. Campbell: C.O. Strobeck

Inmate Johnson, Donte enters a plea of: ☒ Not Guilty

Inmate's Defense:

Inmate stated, "I was pressing my button to go to court. When I came out I just got upset." No witnesses requested.

Finding of Fact:

The Board finds that an incident did occur and that Johnson was involved. Based on the officer's report, the Board finds Johnson guilty as charged.

Board's Determination: ☒ Guilty

Disposition:

The Board sentences Johnson to 10 days in disciplinary detention with CTS to run consecutively with prior Cab. To Max on 05-07-01.

Disciplinary Action Taken:

See above.

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ No

Filed by: -- P#:

Filing Date:

Post ID:

AA09453

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date: 02/26/01

Incident Time: 1030

Reporting Officer's P#: 1461

Reporting Officer's Name: Campbell, E.

Housing Unit: 2C10

Report Date/Time: 02/26/2001 10:35 AM

Post ID: Sta#03 Classification/CCDC

Short Description: administration segregation

Full Description:

Per capt Hoogland, inmate Johnson is being placed in admin/phs1 due to his institutional behavior and his threat to security

Action Taken:

Placed in admin/phs1

AA09454

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division


Information Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group

CC To: ; Second Floor , Sergeant

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 02/25/01

Incident Time: 1600

Reporting Officer's P#: 6673

Reporting Officer's Name: Zavsza, S.

Housing Unit: 2C10

Report Date/Time: 02/25/2001 04:39 PM

Post ID: Post0022 Security/CCDC

Short Description: Admin Phase 1

Full Description:

Classification Officer Smith informed us that I/M Johnson was on administrative segregation phase 1. I made a copy of the rules of administrative segregation and gave them to I/M Johnson. I told him to read it and I would answer any questions that he had. I went back in 5 minutes and asked him if he had any questions. He stated "How did I get on this?" I told him it was due to the incident in 5C on 02/24/01. He stated "OK."

Action Taken:

For info only. A/Sgt. Wooten notified.

AA09455

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:00:53 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

I would Advise that any officer dealing with these inmates use extreme caution, as they show little regard for human life. Per Lt. O'rourke, both inmates are to be placed on Administrative Segregation, Phase 1. Inmate D. Johnson rehoused in 2C10.

Supervisor's Review

Supervisor's Review

Notification To: WatchCommander

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ Yes

Supervisor's P#: 4146

Review Date: 02/25/2001 03:38 AM

Supervisor's Name: Kelso, N.

Supervisor's Investigation and Review:

Inmate Johnson has absolutely no regard for human life. When I interviewed him, his response was "I don't have anything to say". Though these inmates were booked for attempt homicide, it could have very well been for homicide, had inmate Irias landed on his head. It could have also been an officer. I concur with the recommendations of Officer Gonzalez. Both inmates should be placed on Administrative Segregation Phase 1 for the remainder of their stay in this facility.

Action Taken:

Both inmates booked on attempt homicide and will be placed on Administrative Segregation Phase 1 per Lt. O'rourke.

AA09456

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:00:53 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 02/28/2001

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☐

Board Members: C.P. Campbell; C.O. Strobeck

Inmate Johnson, Donte enters a plea of: ☒ Not Guilty

Inmate's Defense:

Johnson stated: "No comment as I will go to trial on these charges."

No witness requested.

Finding of Fact:

The Board finds that an incident occurred and that Johnson was involved. Based on the report submitted and inmates own statement, the Board finds Johnson guilty per the evidence presented.

Board's Determination: ☒ Guilty

Disposition:

The Board sentences Johnson to 60 days in disciplinary detention with cts. To start disciplinary time after completion of Phase 3.

Disciplinary Action Taken:

See above.

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ No

Filed by: -- P#:

Filing Date:

Post ID:

AA09457

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:04:34 AM

Officer's Section

Officer's Section

Routed to: Sergeant Second Floor

Part 1

Incident Date:	02/24/01	Incident Time:	2000
Reporting Officer's P#:	6188	Reporting Officer's Name:	Gonzalez, A.
Housing Unit:	2C10	Post ID:	Post0050 Security/CCDC
Sentenced?:	Yes		

Rules Violated:

- F01 - Attempting to commit or aiding another person to commit any of the below-listed infractions shall be considered the same as the offense itself.
- F13 - Fighting or wrestling with another person
- F46 - Disrupting the safe and orderly operation of the facility
- F52 - Battery

Details of the Incident (Who, What, Where, When, How, Why)

While in the module Office I was observing Inmate Johnson,D ID#1586283, Inmate Johnson,R ID#1685445 and Inmate Irias,O ID#1679155 on their freetime. Inmate Irias was standing in front of room 5c23 holding a spray bottle talking to the Inmate Cellestin who is currently housed in room 5c23. I seen Inmate Johnson,D and Inmate Johnson,R walk up the right stair case and then I seen Inmate Johnson,R wrap his arms from behind and held him in a bear hug while Inmate Johnson,D hit him continuously all over.(F52) At this time I called a Code Red 416 and Officer Hardy and myself ran over towards 5C while running outthere I seen both Inmate Johnson,R and Inmate Johnson,D grab Inmate Irias legs and throw Inmate Irias over the second tier at this time I called a Code Red 444 via radio.(F46,F52,F13,F01) Inmate Irias attempted to grab Inmate Johnson,R arm but Inmate Johnson,R pushed him over the second tier. While running in 5C Officer Hardy cuffed Inmate Jonson,D and I cuffed Inmate Johnson,R. Shortly after the code was called Sgt. Kelso and Sgt. G. Becker arrived on deck. After securing both Inmates Sgt. Kelso and Sgt. G. Becker accompanied me to go and check on Inmate Irias health. At this time nurse Jenny,Jim and nurse Nancy arrived and gave medical attention to Inmate Irias. After Inmate Irias spoke to the nurses they made a decision to have A.M.R respond. The responding medics were Moon,D, Majors,D and Trauma nurse Rath,S. At this time Inmate Irias was taken out of the facility by AMR accompanied by Officer Stewart.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: A. Gonzalez 6188

Date/Time: 02/25/01 0200

AA09458

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:04:34 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

After witnessing both of these Inmate actions I strongly advise all Officer who deal with these Inmates to use EXTREME CAUTION. These Inmate have no regard for life the way they threw that Inmate over the upper Tier. These Inmates have no respect for Authority they saw us coming and contiues to throw this Inmate over the balcony. When I handed Inmate johnson,R his TCR he said " big fucking deal. These Inmates are to be placed on Administrative Disciplinary Phase I per Lt. O'rourke.

Supervisor's Review

Supervisor's Review

Notification To:

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ No

Supervisor's P#:

Review Date: 04/15/2005 12:42 PM

Supervisor's Name:

Supervisor's Investigation and Review:

Action Taken:

AA09459

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

Johnson, Donte (01586283)

Report Date/Time: 02/25/2001 02:04:34 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 04/15/2005

The Board was introduced and accepted by the Inmate: ☒

Statement of Charges read and fully explained to the Inmate: ☒

Witness requested by inmate: ☒

Board Members:

Inmate Johnson, Donte enters a plea of: ☒

Inmate's Defense:

Finding of Fact:

Board's Determination: ☒

Disposition:

Disciplinary Action Taken:

Advised of Right to Appeal?: ☒

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ No

Filed by: -- P#:

Filing Date:

Post ID:

AA09460

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 08/14/00

Incident Time: 0015

Reporting Officer's P#: 2723

Reporting Officer's Name: Soffe, S.

Housing Unit: 5C10

Report Date/Time: 08/14/2000 12:21 AM

Post ID: Post0033 Security/CCDC

Short Description: vent screaming, singing

Full Description:

Above has loss of freetime due to continued pounding on vents, doors and screaming and singing thru the vents at the girls in 3D, continously for the 40 minutes I was there. I opened up all the pipe-chases for these rooms and stood there for 40 minutes, to confirm the occupants which inmates were doing it. LOFT for 08/14/00

Action Taken:

LOFT for 08/14/00

AA09461

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 06/30/00

Incident Time: 1920

Reporting Officer's P#: 6391

Reporting Officer's Name: Thomas, R.

Housing Unit: 5E22L

Report Date/Time: 06/30/2000 07:28 PM

Post ID: Post0050 Security/CCDC

Short Description: Being in another inmates room.

Full Description:

During free time on 06/30/00 at 1920 I noticed that inmate Johnson was in room 5E07. I went and talked to him to see why he was in another inmates room. He said that he was working out. I informed him that he would have a loss of free time for 24 hrs.

Action Taken:

Loss of free time that will end on 07/01/00 at 1920. Sgt. Rudolph notified via this notice.

AA09462

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 06/10/00

Incident Time: 2000

Reporting Officer's P#: 2538

Reporting Officer's Name: Smith, W.

Housing Unit: 5E22L

Report Date/Time: 06/10/2000 08:11 PM

Post ID: Post0050 Security/CCDC

Short Description: Wrong Room

Full Description:

I observed Inmate Johnson enter 5E10, he is housed in 5E22. I locked the door to 5E10 and entered the module and unlocked the door to 5E10. Inmate Johnson was in the room alone and stated that he just came in to piss. I told him that he was locked down and go to his own room and he complied without incident.

Action Taken:

24 hour lockdown from 2000 hrs 6/10/00 till 2000 hrs 6/11/00.

AA09463

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group

CC To: ; Classification , Post; Fifth Floor , Sergeant

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 04/04/00

Incident Time: 1845

Reporting Officer's P#: 4152

Reporting Officer's Name: Jolley, L.

Housing Unit: 5E22L

Report Date/Time: 04/04/2000 11:39 PM

Post ID: Post0050 Security/CCDC

Short Description: Disrespect to staff

Full Description:

When I/m Johnson can up for medication in the pill line he was instructed to open his mouth. This I/m ignored this officer and started walking off. I then repeated my request and ordered I/m Johnson to open his mouth. After inspecting his mouth I instructed this I/m that when we did linen exchange he needed to get clothing that was the proper size. This I/m didn't say a word gust ignored me . I the repeated myself making it very clear that his cloths would not be 3X or 4X pants and shirts. I/m Johnson walked off not saying a word one way or the other. During linen exchange I went to cell 5E22 to insure that this I/m had his proper sizes. When I requested to see his clothing sizes I/m Johnson refused. Officer Carpenter then entered the room and remanded there for back-up until I had inspected his clothing. I replaced his shirt with a large. I reviewed the reports in the past to find that oversized clothing has been a problem in the past. I/m Johnson has many information reports on Disrespect towards staff. I warned I/m Johnson that his behavior was not going to be tolerated. And if he keep on he would be sent to 5 C/D.

Action Taken:

24 hr. L/D starting on 04/04/00 @ 2130 hrs. and ending on 04/05/00 @ 2130 hrs Sgt. Peralta notified.

AA09464

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group
CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	10/20/99	Incident Time:	2240
Reporting Officer's P#:	5064	Reporting Officer's Name:	Judd, S.
Housing Unit:	7F22U	Report Date/Time:	10/21/99 12:30 AM
Post ID:	Post0070 Security/CCDC		

Short Description: Disrupting linen

Full Description:

When I/m Johnson came down to get fresh linen during linen exchange, he asked the module worker for a 3X shirt. I/m Johnson could fit into a medium and at max maybe a large. When I asked Johnson to let me see his shirt, he ignored me. I asked him again, again he ignored me. He was not even 3 feet away from me. Finally, I had to yell "Sir, get over here!" He responded, but at his own pace. I tried to hand him a large shirt, but he would not take it. He just mumbled something under his breath and walked to his room refusing the shirt. After linen was completed, I went to I/m Johnson's room and handed him the shirt and notified him that he had earned himself a lockdown. He said that he did not care.

Action Taken:

24 Hr I/d ends 10/21/99 @ 2240. Sergeant See notified.

AA09465

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group

CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 09/17/99

Incident Time: 1615

Reporting Officer's P#: 4542

Reporting Officer's Name: Pipitone, T.

Housing Unit: 7F22U

Report Date/Time: 09/17/99 04:26 PM

Post ID: Post0070 Security/CCDC

Short Description: Dress code

Full Description:

Inmate Johnson once again failed to follow the dress code. He came to chow with his shirt inside out again but this time he started his disrespect while he was on his way to his room.

Action Taken:

24 hour lock down to end 9/18/99 at 1615.

AA09466

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group

CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date: 09/10/99

Incident Time: 1430

Reporting Officer's P#: 4542

Reporting Officer's Name: Pipitone, T.

Housing Unit: 7F22U

Report Date/Time: 09/10/99 03:05 PM

Post ID: Post0070 Security/CCDC

Short Description: Disrespect to staff

Full Description:

During the past 2 months I noticed inmate Johnson wearing his shirt inside out at chow on several occasions. I address this violation of the dress code each time giving him a warning. Today during free time he was wearing his shirt inside out again and I instructed him to turn it right and he said he would but he did not move. I needed to repeat myself four times and then he said "I'll do it so you can get the fuck out of my face." At that time I told him to lock down for 24 hours. Johnson did not head to his room until after I repeated myself and started to key my radio for assistance.

Action Taken:

24 hour lock down to end on 9/11/99 at 1430.

AA09467

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division


Information Report

JOHNSON, DONTE

(01586283)

Notification To: Classification Group

CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 08/23/99

Incident Time: 0645

Reporting Officer's P#: 5548

Reporting Officer's Name: Chaillet, R.

Housing Unit: 7F22U

Report Date/Time: 08/23/99 10:26 AM

Post ID: Post0050 Security/CCDC

Short Description: Class review

Full Description:

While chaining inmates for court, in the 5CD outer day room, I noticed Inmate Johnson in the 7th floor rec. yard making hand gestures towards the inmates in the 5 CD day room. I motioned towards him to stop but he did not. I then went up to the rec. yard and told him to move away from the window and to stop trying to communicate with the inmates in 5CD. He then moved approximately 6 in. away from the window. I then repeated my order telling him to move away from the window. This time he picked up his shirt and moved another 6 in.. I then informed Inmate Johnson that I was finished playing his game and told him to go to his room.

Action Taken:

Inmate Johnson was escorted to his room by officer Mowery #5917. I believe this inmate needs to be considered for max custody because of his continuous disrespect towards staff and his institutional behavior.

AA09468

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE

(01586283)

Report Date/Time: 05/30/99 07:14:46 PM

Officer's Section

Officer's Section

Routed to: Sergeant Nineth Floor

Part 1

Incident Date:	05/30/99	Incident Time:	1900
Reporting Officer's P#:	2651	Reporting Officer's Name:	Burgie, W.
Housing Unit:	9F24U	Post ID:	Post0094 Security/CCDC
Sentenced?: 	No		

Rules Violated:

F46 - Disrupting the safe and orderly operation of the facility
102 - Refusing to obey a direct order by staff.

Details of the Incident (Who, What, Where, When, How, Why)

Inmate came to the office 10 minutes after everyone else was in the RecYard and wanted to go. I explained to the inmate that it was to late to go, everyone goes together and returns together. Inmate had asked if I had notified anyone of rec-yard. I explained that I had went into the module and notified everyone to get ready for rec-yard, and returned to take everyone. 11 Inmates had gone to the rec-yard. Inmate said that I was a "fucking liar". It was at this time I told the inmate to just to go to his room. Inmate walked into the module and went to the phone to use them. I followed the inmate into the module, and asked him a second time to go to his room. Inmate walked around to the rear of the module and sat down and started to watch TV. I again went into the module and asked the inmate if he was going to go to his room, yes or no. Inmate just sat looking at me, then the TV. I call for backup on the radio to respond to #94. Inmate was cuffed and removed from the module without incident.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY: Perrone

Date/Time: 05/30/99 2000

AA09469

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE (01586283)

Report Date/Time: 05/30/99 07:14:46 PM

Reporting Staff Person's Comments and Recommendations:

Part 2

Inmate has been CAB'd and written up so many times. When taken out of the module inmate was abusive and disrespectful, and failed to comply with simple questions as to "what is your room number." Inmate has an attitude towards staff and facility, and is very defiant in his actions and manner, and at times has an influence over other inmates around him. Inmate is a known gang leader, and with his present charges, he knows he has nothing to lose by his actions. As advised by Sgt, Lt. and classification responding to the code, to advise recommendation that this inmate to be max out and to remain in 5 C/D for the remainder of his stay at CCDC.

Supervisor's Review

Supervisor's Review

Notification To: WatchCommander

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ Yes

Supervisor's P#: 2708

Review Date: 05/30/99 07:14 PM

Supervisor's Name: Perrone, G.

Supervisor's Investigation and Review:

I spoke with inmate at which time he stated that the Officer did tell him to go to his room, that he did infact not go to his room, and that he demanded the officer tell him why he had to go to the room. I spoke with some of the other inmates, and they stated that Johnson just sat there, and didnot respond to the officer when directed to go to his room.It is appearant that this inmate has no intention of following the rules of this facility, that he is a prime canidate for MAX custody status. My reccomendation is that he be placed in 5C/D MAX status until such time as it is appearant that he will follow the rules, and not disrrupte the facility. If he is allowed to return to GP it will be a very short time before he gets someone hurt, or he himself is hurt. Based on his charges he has nothing to lose, and everything to gain (GANG PRESTEGE) for his continued defience of Authority.

Action Taken:

Transported to 2C pending room in 5C/D.

AA09470

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

JOHNSON, DONTE (01586283)

Report Date/Time: 05/30/99 07:14:46 PM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 06/03/99

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☐

Board Members: Sgt. Cino; C.O. Wahlquist

Inmate JOHNSON, DONTE **enters a plea of:** ☒ Guilty

Inmate's Defense:

Johnson stated: "I wanted to come back to the hole to be close to my cousin."

No witness requested.

Finding of Fact:

The Board finds that an incident occurred and that Johnson was involved. Based on the report submitted and inmates own statement, the Board finds Johnson guilty by admission.

Board's Determination: ☒ Guilty

Disposition:

The Board sentences Johnson to 10 days in disciplinary detention with cts. Reinstate 10 days from previous CAB. Class review on 06/19/99.

Disiplinary Action Taken:

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ Yes
Filed by: -- P#: 2683

Filing Date: 06/14/99
Post ID:

AA09471

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group
CC To:

Inmate(s): ☒ DONTE, 01586283 - JOHNSON, DONTE, 01505516 - KAIL, STEVEN HENRY

Incident Date:	05/23/99	Incident Time:	2330
Reporting Officer's P#:	5758	Reporting Officer's Name:	Wallace, D.
Housing Unit:	5D20U	Report Date/Time:	05/24/99 11:16 PM
Post ID:	Post0050 Security/CCDC		

Short Description: Light Covered

Full Description:

Tonight I warned everyone not to cover night lights, I/M Johnson ID#1586283 and I/M Kail ID#1505516 had their light covered.

Action Taken:

Loss of free time taken for 05/24/99, Sgt. was notified.

AA09472

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE (01586283)

Report Date/Time: 05/10/99 09:34:52 AM

Officer's Section

Officer's Section

Routed to: Sergeant Nineth Floor

Part 1

Incident Date:	05/10/99	Incident Time:	0900
Reporting Officer's P#:	2875	Reporting Officer's Name:	McKinnon, G.
Housing Unit:	9C07	Post ID:	Post0093 Security/CCDC
Sentenced?:	No		

Rules Violated:

- F46 - Disrupting the safe and orderly operation of the facility
- F47 - Continuous unsatisfactory conduct by an inmate (5 or more previously documented infractions during current incarceration)
- I02 - Refusing to obey a direct order by staff.
- I03 - Verbally abusive or disrespectful toward staff or other inmates.
- I22 - Failure to proceed to cell when instructed

Details of the Incident (Who, What, Where, When, How, Why)

This date, as this officer was handling a bunk /classification move and officer Tomlinson and Electrician Wardell was conferring over work orders, this inmate stood in front of the module office and pointed at the spray bottle he was holding. The bottle was empty and this inmate was obviously wanting to have a refill of the pine air which this inmate in his single room fills up in little conditioner bottles. I told Inmate Johnson no through the window and this inmate stood and stared at me as if nothing was happening within the confines of his skull and then snapped out of his blank stare and re-raised the bottle and again stared at me. I again stated 'no' and shook my head in a fashion that he could easily see and easily understand 'nooooo' with a left to right motion. This inmate continued to stand at the door and the electrician opened the door and officer Tomlinson told this inmate also 'no, the workers fill up the bottles and its their job. This inmate stared at Tomlinson, backed up a couple of feet and held his free hand up and formed a one middle finger pointed angle wise and yelled "fuck y'all". He then walked away only to turn around again and do exactly the same gesture and state loudly "fuck all y'all"! Officer Tomlinson and this officer approached this inmate and asked why he was stating this and explained he was on lockdown in which he propped his door and continued cleaning and did refuse to lockdown. I ordered him to hand me the spray bottle and this inmate ignored my directives stepping past me in out of his room continuing a couple times and stating to me "I aint fuckin'locking down" and "I dont give a fuck , I'm gonna' clean my room". This was all the while retaining the cleaning equipment in his possession. This officer locked down temporarily the 9f module. This inmate only then entered his room. I then summoned the 9th sgt., and a movement officer and then re initiated free time for 9f. This inmate was subsequently rehoused to disciplinary and administrative segregation exercising step one of the force continuum.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY:

Date/Time:

AA09473

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE (01586283)

Report Date/Time: 05/10/99 09:34:52 AM

Reporting Staff Person's Comments and Recommendations:

Part 2

This inmate has several writeups, has a set of charges which warrant concern and attention at his behavior as he has absolutely nothing to loose if he commits to an act of noncompliance . i.e. What can be done to me , Im already locked down, I got four murders w/weapon charges plus and so if I get violent or retaliate for dissin'me am I gettin five years out of a couple hundred if I pleabargin? This inmate would not lock down until he was 'talked into it by his fellow inmates due to me advising them the unit would remain on lockdown to reestablish control . Time and classreviewed strongly suggested...

Supervisor's Review

Supervisor's Review

Notification To: WatchCommander

Return for Clarification?: ☒ NO

Reviewed(Y/N)?: ☒ Yes

Supervisor's P#: 2772

Review Date: 05/10/99 09:34 AM

Supervisor's Name: Grasso, A.

Supervisor's Investigation and Review:

A copy of this report was given to the inmate by myself on the above date at approximately 1100. In talking with Johnson he said when he asked Officer McKinnon if he could fill the bottle and when Officer McKinnon said no he, Johnson got angry turned around and said "fuck y'all" to Officer McKinnon and also used his middle finger to do the same. Johnson also stated in his own words that he, "Fucked up" when he said this to the officer but that he was angry because he could not get any chemicals to clean his room. I told Johnson that he really messed up because at the time that he had asked the officer to fill the bottle and Officer McKinnon told him no it's the module workers job to fill the bottles to keep some control of the chemicals, there wasn't any chemicals in any of the bottles because supply had not delivered them yet. Inmate Johnson has had several write ups while being incarcerated in this facility, and in fact he has a previous C.A.R. that was never investigated back in 1998 for some unknown reason. I recommend that Johnson spend not less than 10 days in disciplinary and rehoused in a different module.

Action Taken:

Inmate rehoused in 5D20L pending hearing.

AA09474

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

JOHNSON, DONTE (01586283)

Report Date/Time: 05/10/99 09:34:52 AM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 05/12/99

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☒

Board Members: Sgt. Cino; C.O. Smith

Inmate JOHNSON, DONTE enters a plea of: ☒ Not Guilty

Inmate's Defense:

Johnson stated: "I asked for air freshener, I asked again. He said ask an orange shirt. I said that they were locked down. The officer refused, I said fuck you."

No witness requested.

Finding of Fact:

The Board finds that an incident occurred and that Johnson was involved. Based on the report submitted and inmates own statement, the Board finds Johnson guilty based on admission.

Board's Determination: ☒ Guilty

Disposition:

The Board sentences Johnson to 25 days in disciplinary detention with cts. The Board opts to suspend 10 days pending future behavior. General population on 05-25-99.

Disiplinary Action Taken:

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ Yes
Filed by: -- P#: 2683

Filing Date: 06/01/99
Post ID:

AA09475

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group
CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	05/05/99	Incident Time:	0930
Reporting Officer's P#:	2875	Reporting Officer's Name:	McKinnon, G.
Housing Unit:	9C07	Report Date/Time:	05/05/99 10:04 AM
Post ID:	Post0093 Security/CCDC		

Short Description: Counseled.

Full Description:

This date, the identified inmate was observed on the upper tier speaking with an inmate whom was on lockdown. This inmate also had his door propped open and wearing tennis shoes. I ordered this inmate who was housed on the lower tier off of the upper tier, I was given a not too nice glare from this inmate. I asked him about the shoes and he snapped back that He had a doctors excuse for the shoes, he was told about the lockdown room and was advised about the propping of his door. He stated he was cleaning his room, Not a possibility being up on the upper tier as his room is on the lower tier.

Action Taken:

Inmate counseled...

AA09476

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	04/25/99	Incident Time:	2045
Reporting Officer's P#:	2730	Reporting Officer's Name:	Puumala, W.
Housing Unit:	9C07	Report Date/Time:	04/25/99 08:58 PM
Post ID:	Post0094 Security/CCDC		

Short Description: Lockdown 24 Hours

Full Description:

At approximately 2045 hours on 4/25/99 while out for medication the above named inmate retrieved some soup or soups placed on the floor for him by another inmate. Inmate Johnson was told to leave the soup alone and go to his room. Inmate refused the order, took the soup and then went to his room.

Action Taken:

Locked down till 2045 hours on 4/26/99. A/Sgt. Perrone notified.

AA09477

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

JOHNSON, DONTE

(01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date: 01/28/99

Incident Time: 0010

Reporting Officer's P#: 5922

Reporting Officer's Name: Wooten, K.

Housing Unit: 9C07

Report Date/Time: 01/29/99 02:35 AM

Post ID: Post0093 Security/CCDC

Short Description: Disrespect to staff

Full Description:

On the night of 01/28/99, I/M Johnson was returning to his room after picking up his new clothing from linen exchange, I asked Johnson a question concerning some of his commissary items and he continued to walk into his room without answering me. I followed Johnson in his room and again asked him the same question, he again ignored me and continued on with putting away his linen. About an hour later Johnson began to press the emergency button on his door repeatedly. I read several reports earlier in the shift about Johnson's past behavioral problems, one of which was pressing the emergency button to annoy officers. As I was conducting my security check of the module I asked him what he needed, Johnson replied "I'm ready to go, to go wherever your gonna move me." I assume he heard me say to C/O long earlier that night that he (Johnson) was a "problem child" and would be moved by the end of the week. I told Johnson to go to sleep and he yelled, "you big head mother fucker!"

Action Taken:

Johnson placed on 24hr lockdown beginning 01/29/99 @ 0030 ending 01/30/99 @ 0030. Sgt Becker notified.

AA09478

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s): ☒ 01586283 - JOHNSON, DONTE

Incident Date:	01/01/99	Incident Time:	0010
Reporting Officer's P#:	5914	Reporting Officer's Name:	Givens, T.
Housing Unit:	9C07	Report Date/Time:	01/01/99 12:37 AM
Post ID:	Post0093 Security/CCDC		

Short Description: kicking the door

Full Description:

On the above date I announced to the modules 9C and 9D that if any doors light up from kicking the door, that entire room gets a lost of freetime. I/M Johnson began to kick the door. I announced to that room that he would lose his freetime for tomorrow. He again then kicked his door and I announced again to that room that he now would loose his freetime for two days. The kicking stopped.

Action Taken:


L.O.F.T will end on 01/03/98 . Sgt. Becker notified.

AA09479

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date:	12/23/98	Incident Time:	0930
Reporting Officer's P#:	5554	Reporting Officer's Name:	Peralta, M.
Housing Unit:	9C07	Report Date/Time:	12/22/98 10:15 AM
Post ID:	Post0021 Security/CCDC		

Short Description: 24 Hour Lockdown

Full Description:

Jones, Kenneth 1224373, Wilson, Lee 1220943, Johnson, Donte 1586283, Feltus, Jimmy 859602, Jenkins, Delmore 15860166, Woodruff, Darrell 00901383

Above named inmates placed on 24 hour lockdown for talking while in line up. After being told numerous times to be quiet. Sgt. Wiseman advised and concurred with lockdown.

Action Taken:

24 hour lockdown to end 12/23/98 @ 0930

AA09480

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report
(01586283)

Notification To: ClassificationGroup
CC To:

Inmate(s):  00930546 - DAVIS, DELANO, 01586283 - JOHNSON, DONTE

Incident Date:	12/03/98	Incident Time:	0330
Reporting Officer's P#:	5748	Reporting Officer's Name:	Nelson, D.
Housing Unit:	5D	Report Date/Time:	12/03/98 03:50 AM
Post ID:	Post0050 Security/CCDC		

Short Description: LOFT

Full Description:

On the above date and time I/M's Johnson and Davis were complaining that they wanted the light on. I explained to both Inmates that it was after Lockdown time and that they had ample time with the light on. They became very aggitated and began cursing and swearing. I told both I/M's that if they were to continue that they would lose their freetime, and Davis said "go ahead and take it you punk ass motherfucker", so i complied and took their freetime. At that time Davis and Johnson began kicking and banging on the door-- I again asked them if they wanted to lose their freetime for the day after in which Johnson said "Go ahead take it you punk ass bitch". I again told them that I would take their freetime . I then notified Acting Sgt. Larsen.

Action Taken:

LOFT for 12/03/98 and 12/04/98. Acting Sgt. Larsen notified.

AA09481

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTE

(01586283)

Report Date/Time: 11/25/98 09:01:39 PM

Officer's Section

Officer's Section

Routed to: *Sergeant Seventh Floor*

Part 1

Incident Date:	11/25/98	Incident Time:	2030
Reporting Officer's P#:	5749	Reporting Officer's Name:	Riback, S.
Housing Unit:	7E21U	Post ID:	Post0070 Security/CCDC
Sentenced?: 	No		

Rules Violated:

F46 - Disrupting the safe and orderly operation of the facility

F47 - Continuous unsatisfactory conduct by an inmate (5 or more previously documented infractions during current incarceration)

Details of the Incident (Who, What, Where, When, How, Why)

On the above date and approx time Inmate Johnson was causing a disruption within the module. Johnson has continued to yell through his vent at night and yell in the module causing many inmates to become annoyed. Many inmates have complained for a few days now as well. He disobeyed Officer Petersen when he directly told him to stop his yelling. When I spoke with Johnson earlier in the night about a situation, he developed an attitude and continued to eyeball me the entire night. I had no problems with Johnson and I told him not to worry about it, just to do as I asked. When I returned to the office I was notified by Officer Petersen about his encounter with him and that he has a lot of write ups. I pulled up his file and found seven write ups. Coupled with his disruptive behavior and his numerous write ups resulted in this cab. Do to lack of space he will be moved to 2C.

A hearing will be scheduled to be held within five (5) days (excluding weekends and holidays) to allow you to present your views concerning this incident. See posted inmates rules for an explanation of your right to a hearing and your right to request that witnesses be called. Hearing dates may be extended by the Director of Security for just cause.

COPY DELIVERED TO INMATE BY:

Date/Time:

AA09482

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Report

JOHNSON, DONTÉ (01586283)

Report Date/Time: 11/25/98 09:01:39 PM

Reporting Staff Person's Comments and Recommendations:

Part 2

I/M Johnson has a bad attitude and continues to be a problem here at CCDC. He has numerous writeups and has been moved many times for various problems. A lengthy stay of at least ten days or more would hopefully send him a message of how he is to act here. He should not be housed with I/M McBride #0856435 because the two are cohorts in the disruptions

Supervisor's Review

Supervisor's Review

Notification To: WatchCommander

Return for Clarification?: ☒ NO

Reviewed(Y/N)? ☒ Yes

Supervisor's P#: 2653

Review Date: 11/25/98 09:01 PM

Supervisor's Name: Leeke, P.

Supervisor's Investigation and Review:

I asked Donte to tell me his side of the story. He said he did not do anything wrong. I specifically asked him if he had been staying awake all night and talking loudly through the vents. He said no. I told him that several inmate had complained to the officers about his loud talking. The complaining inmates told Officer Petersen that Johnson was going to be beaten for disrupting the unit all night.

Action Taken:

Donte Johnson will quickly become one of our most notorious inmates going to and from 5C/D repeatedly. Please deal with him strictly. Donte was moved to 2C because no room was available in 5C/D. He should be moved to 5C/D when room is available. I delivered a copy of this report to Donte on 11/25/98 @2300.

AA09483

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Conduct Adjustment Board Disposition

JOHNSON, DONTE (01586283)

Report Date/Time: 11/25/98 09:01:39 PM

Conduct Adjustment Board Hearing Part 3

Conduct Adjustment Board Hearing

Part 3

Hearing Date: 12/01/98

The Board was introduced and accepted by the Inmate: ☒ Yes

Statement of Charges read and fully explained to the Inmate: ☒ Yes

Witness requested by inmate: ☐

Board Members: Sgt.Cino:CO Smith

Inmate JOHNSON, DONTE enters a plea of: ☒ Guilty

Inmate's Defense:

I was talking loud to my neighbor in the next cell. Yeah, I'm guilty of 5 or more write-ups. (inmate did not request any witnesses)

Finding of Fact:

The board finds that an incident did occur and that Johnson was involved. Based on the report submitted and the inmates own statement, the board finds Johnson guilty by admission.

Board's Determination: ☒ Guilty

Disposition:

The board sentences Johnson to 10 days in disciplinary detention with CTS per the officer's recommendation. Off CAB status on 12-05-98.

Disiplinary Action Taken:

Advised of Right to Appeal?: ☒ Yes

APPEAL: Any inmate who desires to appeal the disciplinary action of the Conduct Adjustment Board may address his appeal to the Captain, Central Booking Bureau within 5 days, not counting holidays and weekends. Should the inmate not receive satisfaction of the appeal, he/she may then direct an appeal to the Chief of Detention Services within 5 days, not counting holidays and weekends.

Filed?: ☒ Yes
Filed by: -- P#: 2683

Filing Date: 12/16/98
Post ID:

AA09484

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup
CC To: ; 0008, Classification; Seventh Floor, Sergeant

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	11/12/98	Incident Time:	1915
Reporting Officer's P#:	5556	Reporting Officer's Name:	Lozano, R.
Housing Unit:	7E21U	Report Date/Time:	11/12/98 08:34 PM
Post ID:	Post0088 Security/CCDC		

Short Description: Disrespect.

Full Description:

On the above date and approximately 1905 Hr., on the 8th floor visiting, I/M Johnson said, that the phone he was using wasn't working (number 6, CD/EF side). (I checked all the phones at 1815 Hr. and they were working. At 1830-1900 Hr., one of two I/Ms was using the voice box in number 6, C/D E/F side and it was working fine.) I/M Johnson then ordered me to move him to the other side, so he could use the other phones. I told him that the phones were working fine, but to try it again. I/M Johnson looked at me with a disgusted face and banged on the window as to try and intimidate me. I/M Johnson then went back to his visit, looked at me, and then started laughing and talking to his visit. At approximately 1915 Hr., C/O R. Breeden escorted I/M Johnson back down to 7E21U.

Action Taken:

I/M Johnson was given a 24 Hr. L/D from 11/12/98, 1915, until 11/13/98, 1915 Hr. 7E/F module officer and Seventh floor Sgt. notified.

AA09485

LAS VEGAS METROPOLITAN POLICE DEPARTMENT


Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 10/04/98

Incident Time: 2010

Reporting Officer's P#: 5369

Reporting Officer's Name: Council, J.W.

Housing Unit: 7E21U

Report Date/Time: 10/04/98 09:01 PM

Post ID: Post0070 Security/CCDC

Short Description: Disrespect

Full Description:

On the above date and approx. time, I/M Johnson, ID#1586283, was waiting to enter back into the 7E module. I opened the door for him; instead of entering, he just stood and "stared me down". I motioned for him to enter the 7E dayroom, he just kept staring. I called him over to the module office, told not to stare me down, and to just enter the module. He said in a gang banging and disrespectful manner, "Yeaaa". I told him to go to his room for disrespect.

Action Taken:

L/D to end 10/05/98 at 2010; Sgt. Leeke notified.

AA09486

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Detention Services Division
Information Report

JOHNSON, DONTE (01586283)

Notification To: Classification Group
CC To:

Inmate(s): 01586283 - JOHNSON, DONTE

Incident Date:	09/30/98	Incident Time:	1330
Reporting Officer's P#:	4457	Reporting Officer's Name:	Unangst, W.
Housing Unit:	5E21L	Report Date/Time:	09/30/98 05:40 PM
Post ID:	Post0050 Security/CCDC		

Short Description: Pushing Call Button

Full Description:

I/M Johnson was moved to 5D from 5E. He arrived without his linen and was displaying a bad attitude. Johnson pushed the emergency call button for his room. C/O Smith went to his room to find out what he needed. Johnson wanted to know when he would get his linen and commissary back. He was told that we were waiting on his linen. Again he pushed his button. I went to his room and again Johnson wanted to know when he was going to get his linen and commissary back. It was explained to him again that we were waiting on his linen to come back from 5E. He was also warned that his light was for emergency's only. He pushed the call button again. C/O Green told Johnson over the intercom that the button was for emergency's only and if he hit it again he'd lose his free time. He pushed the button again and C/O Green informed him that he had just lost his free time for 10/03/98.

Action Taken:

Free Time taken away for 10/03/98. This report for info only.

AA09487

LAS VEGAS METROPOLITAN POLICE DEPARTMENT


Detention Services Division

Information Report

JOHNSON, DONTE (01586283)

Notification To: ClassificationGroup

CC To:

Inmate(s):  01586283 - JOHNSON, DONTE

Incident Date: 09/30/98

Incident Time: 1025

Reporting Officer's P#: 5202

Reporting Officer's Name: Ritchie, I.

Housing Unit: 5E21L

Report Date/Time: 09/30/98 03:47 PM

Post ID: Post0050 Security/CCDC

Short Description: Disrespect to an Officer

Full Description:

At approximately 1025 while serving chow, lockdown cells were allowed to get their chow first. The inmates housed in cell 21, Johnson and Hudson, came out of there cell to get their trays. I asked Hudson if he was on lock down and he said "no". Inmate Johnson then said to me, "No motherfucker he's not on lockdown." I then told Johnson to go to his room and informed him that he has lost his next freetime.

Action Taken:

Johnson is serving a C.A.B. at this time and will lose his free time on 10/03/98. Sgt Crawford was notified.

AA09488

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Detention Services Division

Information Report

BATTLE, JACK JOSEPH JR (01193890)

Notification To: ClassificationGroup

CC To:

Inmate(s): 01193890 - BATTLE, JACK JOSEPH JR, 00349350 - HUDSON, JOE EDWARD,
01586283 - JOHNSON, DONTE, 01510931 - LOUPE, SEAN PAUL

Incident Date: 09/22/98
Reporting Officer's P#: 4151
Housing Unit: 5E20U
Post ID: Post0050 Security/CCDC

Incident Time: 2330
Reporting Officer's Name: Bennish, M.
Report Date/Time: 09/23/98 04:42 AM

Short Description: Kicking doors

Full Description:

After linen exchange the above inmates kicked their cell doors. When told to stop kicking their doors, the above inmates yelled, "Bitches and punks." Officer Johnson witnessed the D.R.C red lights flickering on and off on the above inmates doors.

Action Taken:

24 hour lock down starting on 09/22/98 at 2300, ending on 09/23/98 at 2300.

AA09489

I hereby certify that the full, true
and correct copy of the hard
copy of the document is
present, and
correctly
reproduced.

DRURY 10314
Classification Technician

EXHIBIT 122

EXHIBIT 122

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

CRIME SCENE REPORT

SECTOR/BEAT J2

INCIDENT	QUADRUPLE HOMICIDE			EVENT #	980814-1600	
REQUESTING OFFICER	THOWSEN, P# 1467, BUCZEK, P# 3702		DIVISION	ISD	DATE	08-14-98
					TIME	1847
VICTIM	MULTIPLE (SEE BELOW)		LOCATION	4825 TERRA LINDA AVENUE		

RESULTS OF INVESTIGATION ☐ NO ACTION TAKEN ☐ NO EVIDENCE RECOVERED

1. PHOTOGRAPHY

- ☒ black and white negatives exposed
☒ color negatives exposed
☐ _____

4. FOOTWEAR AND TIRE IMPRESSIONS

- ☒ footwear ☐ tire impression(s)
☐ casting ☒ original surface recovered
☐ photographed ☒ footwear impressions in blood on paper articles
☐

2. LATENT PRINT PROCESSING

- ☒ latent processing conducted
☒ latent fingerprints lifted
☒ latent palm prints lifted
☐ negative results
☒ fabric marks

5. POSSIBLE BODY FLUIDS RECOVERED

- ☒ bloodlike substance(s) ☒ control(s)
☐ _____

3. FIREARMS EVIDENCE

- ☒ projectile(s) recovered
☒ casing(s) recovered
☒ cartridge(s) recovered
☒ weapon(s) recovered
☐ _____

6. TOOLMARK EVIDENCE

- ☐ original surface recovered
☐ tools recovered
☐ _____

7. OTHER

- ☒ Refer Property Report

AUG 19 9 08 AM '98

VEHICLES

1991 Mazda B2200 truck, Idaho plates 5B32334, expiring 12-98, VIN JM2UF1234M0106997, blue, two-door model.

ADDITIONAL INFORMATION

EXTERIOR SCENE:

4825 Terra Linda Avenue sits on the south side of Terra Linda Avenue. The front yard is fenced with cyclone fencing. The gate to the driveway was open. A Southeast Las Vegas Valley newspaper, dated 08-12-98, was in a

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plastic bag attached to the cyclone fence by the mailbox. The mailbox itself was empty. A cement driveway, semi-circular, leads to an outside carport. Three (3) garbage cans and a black plastic bag were located by the east fence in the front yard. A 1991 Mazda B2200 truck, Idaho plates 5B32334, was parked in the carport. The driver side window and the passenger side window were both rolled down. There was a storage room with the door closed underneath the carport.

The house itself faces to the north. The disturbance in the dust on the exterior slider pane of the north front bedroom window was noted. No sign of forced entry was observed to the front door itself. Walking down the east side of the house led to a closed wooden gate. I, Senior CSA Dave Horn, P# 1928, opened the gate to gain entrance to the back yard. The east side yard, west side yard, and the rear yard, which is to the south of the house, were all fenced. Disturbance was observed in the exterior dirt of the south window leading to the southeast bedroom. The south sliding glass door was closed, but unlocked. Disturbance was noted to the exterior of the south sliding glass door. The rear wooden gate leading to the back yard is located adjacent to the southeast exterior house corner.

There is a cement patio with a roof above it attached to the exterior south part of the house. Located beneath the exterior patio roof was a dismantled waterbed frame and headboard, a Suzuki motorcycle, a refrigerator, and a trunk locker, that was in a broken state, located behind the refrigerator. All the previously mentioned items were all located beneath the patio roof. At the west block wall was observed a metal shed with the door open. Positioned against the north side of the metal shed was a round picnic table leaning against the metal shed. A combination of dirt and grass was observed in the back yard, side yards, and the front yard. No footwear or drag trails were observed in the front, rear, or side yards.

The garbage cans and black plastic bag were covered with plastic. The exterior disturbances noted to the north front bedroom window, the south rear bedroom window, the south rear sliding glass door, and the Mazda truck were processed for latent prints by Crime Scene Analyst (CSA) Supervisor Mike Perkins, P# 4242, CSA II Shawn Fletcher, P# 5221, and CSA I Jim O'Donnell, P# 5709, due to the rainy conditions that prevailed on the evening of 08-14-98. Also noted: Animal Control removed three (3) dogs from the house prior to the arrival of CSA Supervisor Mike Perkins, who was the first Criminalistics Bureau person on the scene.

Walking around the house, all the windows were closed and, on the interior side, the venetian blinds were down. The vertical blinds on the interior side of the south sliding glass door were also closed. No sign of broken windows were observed. All the exterior windows on the front, west side, and south side of the house were closed.

INTERIOR SCENE:

Living Room: The living room occupies the northeast corner of the house. A home entertainment center is located against the west wall. A recliner chair with a pair of tennis shoes on the seat, a crate, and a speaker were located against the north living room wall. A couch was located against the east wall. One (1) of the cushions located at the north end was disturbed. The couch had three (3) seat and back cushions. Located in the southeast corner were two (2) couch seat cushions and a plant that had been pulled from a planter metal container. A love seat was located against the south wall. The two (2) seat cushions had been removed and were located in the southeast corner. Baseball playing cards, bloodstains, and a broom were observed scattered throughout the living room floor.

Victim #1: Victim #1, who is identified as Jeffrey Charles Biddle, DOB 10-10-78, SSN 554-55-9081, was observed lying face-down on the living room floor. His bare feet were beneath the bottom edge of the recliner. His feet were

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bound with grey duct tape. His hands were behind his back with the fingers interlaced. The hands were bound with grey duct tape. Victim #1 is a white male adult wearing a black short-sleeved shirt, and black belt with black pants. Victim #1's head was close to the lower open compartment door of the home entertainment center. His head pointed generally to the southwest and the feet to the northeast. A blood pool was observed beneath the head. It should be noted that his face was down, with the nose mashed against the living room carpet. A chain wallet was observed on the right side of the victim's body. A gunshot wound was observed to the right side of the back of the head. The victim was placed in a body bag with the Clark County Coroner Medical Examiner (CCCME) Tag #857415.

Victim #2: Victim #2 is a white male adult identified as Tracey Albert Gorringer, DOB 03-08-77, SSN 518-27-5535. Victim #2 was actually east of the location of Victim #1. Victim #2 was wearing a short-sleeved white T-shirt, blue jeans with a brown belt, and a wallet with a chain attached to the belt. He was also wearing sandals. The feet of Victim #2 was also bound with grey duct tape. The hands of Victim #2 were behind his back with the fingers interlaced. The wrists were bound with grey duct tape. The body was angled with the bound feet located between the recliner and the three-seat couch located against the east wall. Victim #2 was face-down with the nose in contact with the carpet. A gunshot wound was observed to the back of Victim #2's head. His head was located to the southwest and the feet to the northeast. Basically, Victim #2 was angled and in front of the three-seat couch. Victim #2 was placed in a sealed body bag with CCCME Tag #857418.

Victim #3: Victim #3 is a white male adult identified as Matthew David Mowen, DOB 02-10-76, SSN 479-3-6045. Victim #3 was south of Victim #1. Victim #3 was also located on the living room floor. He was face-down. Victim #3's head pointed generally to the east and his feet to the west. A five-letter tattoo was observed on the back of Victim #3. Victim #3 was wearing knee-length black corduroy shorts. His feet were located near an overturned, small stereo speaker and broom. A blood pool was observed beneath his head. Victim #3's feet were also bound with grey duct tape. His hands, with the fingers interlaced, were behind his back. Victim #3's wrists were also bound with grey duct tape. A gunshot wound was observed to the back of Victim #3's head. Victim #3 was also placed in a sealed body bag with Clark County Medical Examiner Tag #856352. Victim #3 was basically in front of the love seat located against the south wall in the living room. Partial footwear impressions in blood were observed on paper items south of the body. Identification in the name of "Matthew Mowen" was located on the love seat.

Other items located in the living room on the floor were: Baseball playing cards, as previously noted; three (3) baseball-type caps; CD tapes with their plastic covers; empty wallets; a Natural Ice 12-pack beer carton located near the recliner; a PR-24 baton, also on the floor by the recliner chair; and cigarettes and packs of cigarettes on the living room floor. Signs of ransacking in the living room were noted. No signs of a physical struggle were observed in the vicinity of Victims #1, #2, and #3. All three (3) victims were face-down on the living room floor. Each victim, #1, #2, and #3, appeared to have an execution-style gunshot wound to the back of the head.

The two (2) attending Coroner Investigators were John Harris and Bill Gazza from the CCCME's office. Cliff Patterson, Lyle Davis, Doc Hines, and Jimmie Rimsey from the Bunker Brothers Mortuary transported the deceased. The homicide victims were transported to the CCCME's Office at 1704 Pinto Lane.

It should be noted that the blood on the victim's bodies appeared to have been disturbed. It appeared that the three (3) dogs that had been removed from the house had licked the blood on the victim's bodies. Paw marks were observed on the victims' bodies and on the bloodstained articles on the living room floor. The previously mentioned open compartment door of the home entertainment center, adjacent to Victim #1's head, had paw prints of an animal

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that had apparently crawled into that open space in the home entertainment center. A speaker located on the home entertainment center near its south end had the back of it taken off. It appeared that one of the possible suspects had been searching for something in the speaker to have removed the back of it.

With the removal of the three (3) victims from the living room floor, a .380 caliber shell casing was located on the living room floor in front of the home entertainment center. Another .380 caliber shell casing was located near the southeast corner of the living room by the overturned plant, and near the south wall. The third .380 shell casing was located near the north end of the three-seat couch located against the east wall.

Hallway and Southeast Bedroom: Upon leaving the living room, one entered the hallway. The hallway closet door was open. Blankets and other miscellaneous items had been removed from the shelf and were piled on the hallway floor in the open doorway of the closet. Ransacking was noted to the hallway closet.

The southeast bedroom door was open. A placard with the words "Strung Out" was observed on the exterior side of the southeast bedroom door. The mattress, which was located on a wooden platform, was offset from this platform. The mattress normally would have been located against the south wall of the southeast bedroom. A two-drawer oak filing cabinet, with a lower drawer open, was located against the east wall. A leather couch, overturned, was against the east wall also. A bean bag chair and laundry basket were located against the west wall.

A closet is located in the north wall of the southeast bedroom. Inside the closet was a bureau chest-of-drawers. All four (4) drawers of the bureau chest were pulled out. Clothing was located on the floor near the closet. As previously noted, the bed was disturbed. Clothes and miscellaneous items were observed near the foot end of the bed. Minor bloodstains, that appeared to be possible paw prints from one of the dogs, were observed on a clothing item near the foot end of the bed. A mushroom was found located near the bed and the south wall. A second mushroom was located on the floor between the two-drawer oak filing cabinet and the overturned leather couch. The southeast bedroom had also been searched and ransacked by the suspects.

Dining Room and Kitchen: Upon leaving the southeast bedroom, Victim #4 was observed lying on the dining room floor. Victim #4 is identified as Peter Talamantes, DOB 11-21-80. He is a Hispanic male juvenile. Victim #4 was lying on his right side with the face turned to the carpet in the dining room. He was wearing a white jersey with the name "T. Brown" and the number "81" on the back of it, and black jeans with a brown belt. He was curled on the floor. His hands, with the fingers interlaced, were bound with grey duct tape around the wrists. The bound hands were located on the right side of the body. His bare feet were also duct taped with grey duct tape. His head pointed to the south and the feet to the east. A gunshot wound was observed to the left side of the head. Scattered coins and playing cards were located on the dining room floor around the legs and feet of Victim #4. Scattered baseball cards were also observed on the dining room floor.

Upon lifting the jersey, a Colt Mark IV, Series 80, .45 caliber, semi-automatic pistol was observed in a holster. The holster clip was attached to the belt. The holster and weapon inside it were outside the pants. The holster and .45 caliber weapon were still covered by the hanging jersey. The weapon serial number is LFA3510. The hammer was cocked with the holster strap between the hammer and the firing pin. The thumb-safety was on. I removed the magazine. I also removed a .45 caliber cartridge from the firing chamber. It should be noted that a pin prevented the free movement of the thumb-safety. I had to depress the pin to get the thumb-safety to drop in order to remove the slide to the back to clear the firing chamber. Located on the slide of the semi-automatic pistol were the words "Light Weight Officers ACP." Victim #4 was also placed in a body bag with a CCCME Tag #856356. A blood

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pool was also observed around the head of Victim #4. No signs of a struggle were observed around the body of Victim #4.

As with Victims #1, #2, and #3, the gunshot wound to the back of the head of Victim #4 appeared to be an execution-style shot.

A trestle table occupied the center part of the dining room. Narcotics-related paraphernalia was observed on the top of the table. These items included a blow torch and baggies containing a white powder substance. Also located on the table were two (2) glass bong, a cutting plate, and similar paraphernalia. A bench seat was located on the west side of the trestle table. A VCR, multi-play compact disk had its back removed. The dining room closet door was open. A plastic banner and clothing items were located on the dining room floor near the north and west sides of the trestle table. A lounge chair was located on the south side of the table. Two (2) metal chairs and a Hinckley & Schmitt water cooler were located against the east wall of the dining room. A .380 caliber casing was located on the dining room floor to the west of Victim #4. The dining table is located on the south side of the house in the center. As previously mentioned, the sliding glass door was closed, but unlocked. The vertical blinds were closed, covering the south sliding glass door. A small refrigerator was located against the west wall. Evidence of ransacking was noted in the dining room area, to include the closet. A small mushroom was located on the dining room floor near the open closet.

The kitchen area is north of the dining room, also in the center of the house. The kitchen cabinet doors above the counter tops were open. Open sugar cube boxes were observed, one (1) on the kitchen counter and another in the sink basin. The sugar cube boxes had been searched by the suspects. Located on the kitchen floor were baseball cards and also playing cards. A central island counter was observed in the kitchen area. A telephone answering tape was located. The tape was given to Detective Tom Thowsen, P# 1467. The kitchen had also been ransacked.

A Sparklette, five-gallon water bottle was located in a compartment beneath the sink. The Sparklette water bottle had a hole in it. Inside the water bottle were observed duct tape and rags.

Southwest Bedroom: The bed is located against the west wall. A two-drawer night stand is located north of the bed, and also against the west wall. The lower drawer was open. The ceiling fan was on. At the foot of the bed was a long chair with drawers. The drawers were open. Just east of this wooden chair was a metal rotary chair. A bureau chest-of-drawers with an attached mirror was located against the south wall. All nine (9) drawers of the bureau chest-of-drawers were open. Another bureau chest-of-drawers, also located against the south wall, was observed. These drawers of the second bureau chest-of-drawers were also open and had been disturbed. The closet space is located on the east side of the southwest bedroom. In the closet was observed a desk. Sitting on top of the desk was a computer monitor and hard drive. The computer keyboard was located on the floor. Numerous posters, clothing articles, and other miscellaneous items were observed scattered about the doorway entrance to the southwest bedroom and in the space between the bench seat and desk area located in the closet. The southwest bedroom had also been ransacked.

The southwest bedroom had an adjoining bathroom. A piece of grey duct tape was located in the center drawer of the bathroom counter top. The bathroom adjoining the southwest bedroom appeared relatively undisturbed.

Hallway Bathroom: Blood was observed on the hallway bathroom floor. A squashed beer can was located in the trash can. Bloodstains were also observed on the commode lid. The shower stall door was open. Five (5) beer cans

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and one (1) beer bottle were observed on the windowsill of the bathroom. The hallway bathroom appeared relatively undisturbed also.

Water Heater Closet: The water heater closet doors were open. The water heater is located in the south part of the closet. On the west side of the closet were observed shelves. Holes in the wallboard behind the shelves were also noted. The water heater closet is located opposite the hallway bathroom. The water heater closet is located on the east side of the hallway.

Northwest Bedroom: A circular head board was located against the south wall. The top mattress was mostly off the box springs. The bed originally would have been positioned against the west wall. The closet is located in the east wall. A clothes hamper was positioned against the east wall. Clothing articles were located on the floor in front of the closet. A table lamp and bed rails were also located against the south wall. The northwest bedroom had also been ransacked.

North Center Bedroom: The mattress was located on the floor against the south and east walls. Three (3) overturned cardboard boxes were on the floor north of the bed. The closet was located in the west wall. Clothing was observed on the floor by the doorway entrance to the north front bedroom, and also near the closet. Prior to entering the north center bedroom, three (3) bricks and a piece of wood were in the hallway opposite the entrance to the bedroom.

A trundle bed and bicycle were located against the north wall. A pole lamp was located in the northeast corner. Items were strewn on the mattress and on the floor near the northeast corner. A folded, single mattress was located on the north wall. A guitar was also located near the folded, single mattress. The north center bedroom had also been ransacked.

PHOTOGRAPHS:

Color negatives were exposed by me to show the following: Address location, exterior views of the house, front yard, side yards, and rear yard; interior views of the house; location, condition, and position of Victims #1, #2, #3, and #4; location and position of recovered physical evidence; close-up views of the taped condition of the hands and feet of the multiple homicide victims; location of recovered latent fingerprints; and location of seals and lock-out knob placed on the windows and doors of the house showing a sealed condition.

PHYSICAL EVIDENCE:

Please refer to the Evidence Impound Report prepared by CSA II Shawn Fletcher, P# 5221, for a specific description and location from which physical evidence was recovered and subsequently placed into evidence under the above event number.

CRIME SCENE DIAGRAM:

CSA I Jim O'Donnell, P# 5709, assisted by CSA II Shawn Fletcher, constructed a Crime Scene Sketch, including the front yard, back yard, and interior of the house. These diagrams are located in the Major Case File maintained in the Criminalistics Bureau under the above event number.

APPROVED	<i>W. R. Perkins</i>	P#	4242	ID OFFICER	<i>David R. Horn</i> David R. Horn	P#	1928
----------	----------------------	----	------	------------	---------------------------------------	----	------

ADDITIONAL INFORMATION:

The initial crime scene investigation was concluded at 0200 hours on 08-15-98. As previously noted, the residence was sealed and the front door locked out with a lock-out knob.

CSA II Shawn Fletcher, CSA I Jim O'Donnell, Sr. CSA David Horn, and CSA Supervisor Mike Perkins returned to the scene at 4825 Terra Linda Avenue, arriving at 1442 hours on 08-15-98. Initially, CSA Supervisor Mike Perkins searched the three (3) trash cans and black plastic bag located against the east fence. CSA Supervisor Mike Perkins located eight (8) bottles of liquid Heet that were empty, an empty Ronsonal can, and empty Corning Vision cookwear. He also located latex gloves with reddish stains. Numerous empty alcohol-like cans and bottles were also located. Retrieved from the trash was a 35 millimeter roll of film.

Latent print processing was conducted by CSA Supervisor Mike Perkins, Senior CSA Dave Horn, CSA II Shawn Fletcher, and CSA I Jim O'Donnell, with positive results. Latent fingerprints were recovered from many items and surfaces throughout the house. These items are too numerous to detail for the purposes of this report.

It should also be noted that other areas and items inside 4825 Terra Linda Avenue were processed by all four (4) of us for latent fingerprints, with negative results.

CSA II Brad Grover, P# 4934, and new hire, CSA I Terry Martin, P# 5946, also responded to the scene. CSA II Brad Grover chemically processed the southwest bedroom and adjoining bathroom. He also chemically processed the southeast bedroom. CSA II Brad Grover also recovered latent prints from items processed in the northeast living room.

Additional items of physical evidence were also removed from the residence. As items were processed for fingerprints, and pushed aside as having been processed, additional items of evidence were recovered. These items were, in turn, released to CSA II Shawn Fletcher to impound into evidence.

Prior to securing the scene at approximately 2230 hours, I chemically processed all closet and bedroom doors, bathroom doors included, with ninhydrin. I then turned on the heat. The scene was secured with seals and a lock-out knob. The crime scene investigation for concluded for Saturday night, 08-15-98, at approximately 2310 hours.

On 08-16-98, I returned to the residence at 4825 Terra Linda Avenue, arriving at approximately 1810 hours. Chemically developed fingerprints were photographed on the interior side of the hallway closet door, interior side of the southeast bedroom door, and interior side of the north center bedroom door. I left the house at approximately 2035 hours. The house was sealed and locked-out.

CSA II Shawn Fletcher, back at the Criminalistics Bureau garage at 6759 West Charleston Boulevard, vacuumed the interior of the Mazda truck that had previously been towed to the Criminalistics Bureau on 08-14-98. I processed the interior of the truck and obtained a fingerprint from the rear view mirror and interior side of the right door window. The truck was resealed and Quality Towing removed the truck from the garage at approximately 2330 hours and towed the vehicle to the impound lot. The driver was informed that a "hold" had been placed on the vehicle per the Homicide Detail.

APPROVED	<i>W. Perkins</i>	IN	4242	ID OFFICER	<i>David R. Horn</i> David R. Horn	IN	1928
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LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CRIMINALISTICS BUREAU

EVENT # 980814-1600
CRIME SCENE REPORT

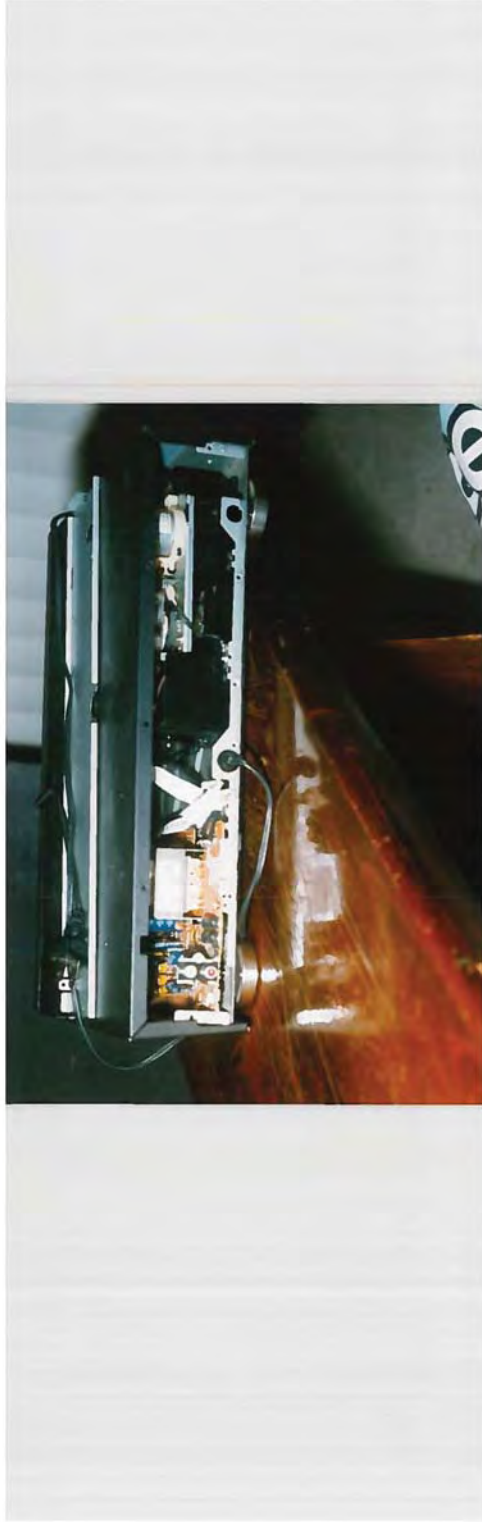
No further action taken.

Aug 19 9 08 AM '98

APPROVED	<i>W. R. H. Horn</i>	PS	4242	ID OFFICER	David R. Horn	PS	1928
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EXHIBIT 123

EXHIBIT 123



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EXHIBIT 124

EXHIBIT 124



VCR Remote Control Buying Guide

eBay

[Like](#)

March 10, 2016

For VCR owners, the remote control is one of the most important accessories to accompany the unit. A high-quality, reliable remote control greatly enhances the movie-watching experience, eliminating the need for users to have to get up to rewind, stop, or pause the video. Additionally, a remote control is sometimes essential for the access and customization of certain features and functions within the VCR. When looking to replace an existing remote control or upgrade, there is a variety of options to choose from. Universal? New, refurbished, or manufacturer original? This guide will provide buyers with information about specific features and different types of remote controls that are available, as well as covering how-to topics, such as programming. Whether choosing a remote for a standalone VCR or a newer DVD/VCR combo, users can use this guide to assist them in their search for the ideal remote control.



Universal Remote Controls

Eliminate the clutter caused from having several individual remote controls with a [universal remote control](#). A universal remote allows users to control multiple devices, including a VCR. Universal remote controls are possible because nearly every remote control operates using the same type of infrared signal. Different manufacturers use different infrared signal sets, commonly called remote control codes. Universal remote controls have all known codes built in and are easily programmed for a specific VCR or other device.

A universal remote can be a replacement for a lost remote or can offer enhanced features, such as extra large buttons for ease of use. One highly advanced style, called a [universal learning remote](#) features programming options through a computer interface, and may include built-in digital displays. The full-featured universal remotes can control an entire home theater system.

Programming a Universal Remote Control

Programming a universal remote control is a quick process; however, it is important to closely follow the instructions provided with the new universal remote. The first step is to put the remote in programming mode. How to do this is in the instructions, and varies by brand, but usually involves holding one or more specific buttons for a few seconds. The second step is to enter the code, usually four digits, for the device to be controlled. The instructions for the universal remote will include a lookup table matching the device make and model to the corresponding code. The third step, after entering the code, is to exit the programming mode. This varies by universal remote, but is specified in the instructions. Now that the universal remote is programmed, it will work with the corresponding device. Keep the instructions so the remote can be reprogrammed at a later time, if needed. Advanced computer-programmable universal remotes are set using special computer software and may be upgraded to support newer devices.

Choosing a Remote Control for a Standalone VCR Player

Finding a remote control that is compatible a standalone VCR is easily accomplished with a universal remote or refurbished manufacturers remote. If possible, identify the model number of the VCR when searching for a remote. Because there are so many different models of VCRs, compatibility with universal remotes may only be listed by manufacturer. Carefully follow the programming instructions included with a universal remote to achieve proper functionality.

Refurbished or Repaired Remote Controls

When seeking to replace a remote control for an older unit, a [refurbished remote control](#) is one option. In this case, the remote control is identical to the original, all buttons and functions are the same, and no programming is required. This option may be especially desirable if the remote control to be replaced had unusual or unique functions that were not common across multiple manufacturers.

The Importance of Model Numbers

When a remote for an older unit is needed, it is especially helpful to know the manufacturer and model number of the unit. The name of the manufacturer is usually prominently displayed on the front of the unit. The model number may be located on an information tag on the bottom or rear of the unit. Sometimes the model number is also displayed on the front. Most manufacturers use the same remote control codes for a product family, but may change or upgrade the codes for later products, usually to add support for additional features.

Remote Controls for Combination Units

Finding a suitable VCR remote control to operate a combo unit involves finding a remote that supports the functions of each component of the unit. The key to using a universal remote with a combo device is to use a universal remote that supports multiple devices. This kind of universal remote has additional buttons on the top and can be programmed for any combination of supported devices.

DVD/VCR Combination

Combination DVD/VCR units require more careful consideration when searching for a replacement remote. Because the device is essentially two devices in one, a simple universal remote would not be able to distinguish between play for the DVD and play for the VCR, for example. The most straightforward approach is to search for an original replacement remote. This guarantees proper functionality with no programming required. Alternatively, a universal remote that specifically lists support for the make and model number of the combo device is a good alternative, though button placement will vary. The third approach is to program a multi-device universal remote with codes for the DVD and VCR separately. This approach would require switching modes to access specific functions. Consult the universal remote device compatibility matrix whenever possible.

TV/VCR Combination

With [TV / VCR combo units](#), it is often difficult to find a replacement remote control that will properly operate the unit. In such cases, searching for a refurbished or original replacement for the manufacturers remote is the best option. An alternative is to use a multiple device universal remote and to program the appropriate device code for the TV and VCR separately. This approach would require switching the universal remote between TV and VCR devices to access functions. Refurbished original replacements guarantee functionality without programming. Use the specific model number of the combo device when searching for the replacement.

The Importance of a Remote Control

A remote control can provide more than just convenience. With many VCR units, a remote is required to access special functions and programming settings. Early VCRs had all functions accessible on the front panel and only a subset of controls available on the remote. That paradigm shifted rapidly to one where the remote is the primary control and the front of the unit can only access basic functions. On screen menus, numerical entry for programming recordings, and even setting the clock must be done by the remote. Most VCRs require a remote control for full functionality. The chart below briefly highlights the benefits and limitations among the remote controls discussed in this guide.

Type of Remote	Programming	Features
Original replacement remote	No programming necessary.	Restore full capability of original remote, including special functions.
Basic universal remote	Program remote codes specified in instruction manual according to brand and model.	Compatible with almost any device; easy-to-use, low-cost. May limit access to advanced user functions of VCR.
Oversized universal remote	Program remote codes specified in instruction manual according to brand and model.	Extra large size buttons are ideal for increased visibility.

Type of Remote	Programming	Features
Advanced universal remote	Program remote codes through Internet-enabled software.	Customizable "macros" automate multiple settings with one button press.

How to Buy a VCR Remote Control on eBay

Finding a VCR remote, even for an older unit, is best accomplished by first identifying the specific model number of the device. You can usually find the model number on the back of the VCR. If you are unable to determine the model, include the brand of the VCR. Once you have determined which VCR remote control to purchase, start by browsing relevant categories such as [Electronics](#). Continue browsing while narrowing your search according to the desired category. To search across multiple categories, enter specific search terms into the eBay search box. To receive more specific results, search for the brand and model number of the VCR. Before committing to a purchase, browse a variety of listings and check out [eBay Stores](#). Remember to read the item description carefully and double-check information such as the model number and compatibility information, if listed. Make sure that the instructions are included with the remote control, to ensure proper setup, especially with a universal-style remote.

Conclusion

Whether looking for a replacement for a lost or broken remote, or just upgrading for improved features, eBay is an ideal choice for purchasing a new or refurbished VCR remote control. From inexpensive, basic multi-brand universal remotes, to high end models that feature PC and Internet compatibility, eBay offers a variety of listings to suit any need and budget. The importance of a properly functioning, reliable remote control is essential to getting the best performance results from a VCR. Whether it is a brand new, high-end universal remote with PC compatibility, or a twenty-year-old factory original, start searching with eBay to find the ideal remote control solution for a VCR.

Tags: [vcr remote control](#) | [universal remote control](#) | [tv remote control](#) | [vcr](#) | [cable controller](#)

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Emerson VCR755 Remote Control
\$8.95 Buy It Now



BRAND NEW UNIVERSAL Remote...
\$4.99 Buy It Now



Philips Magnavox VCR Remote Control N9250...
\$8.95 Buy It Now



LXI Sylvania Symphonic N9291 VCR/TV Remot...
\$8.95 Buy It Now

EXHIBIT 125

EXHIBIT 125

557

1 INST

FILED IN OPEN COURT

MAY 05 2005

SHIRLEY B. PARRAGUIRRE, CLERK

BY *Sharon Coffman*

Sharon Coffman DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -vs-

11 DONTÉ JOHNSON,

12 Defendant.

Case No. C153154

Dept No. VIII

14 INSTRUCTIONS TO THE JURY

15 (INSTRUCTION NO. 1)

16 MEMBERS OF THE JURY:

17 It is now my duty as judge to instruct you in the law that applies to this penalty
18 hearing. It is your duty as jurors to follow these instructions and to apply the rules of law to
19 the facts as you find them from the evidence.

20 You must not be concerned with the wisdom of any rule of law stated in these
21 instructions. Regardless of any opinion you may have as to what the law ought to be, it
22 would be a violation of your oath to base a verdict upon any other view of the law than that
23 given in the instructions of the Court.

S15

AA09507

INSTRUCTION NO. 2

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

INSTRUCTION NO. 3

The trial jury shall fix the punishment for every person convicted of murder of the first degree.

The jury shall fix the punishment at:

(1) A definite term of 100 years, with eligibility for parole beginning when a minimum of 40 years has been served; or,

(2) Life imprisonment with the possibility of parole, with eligibility for parole beginning when a minimum of 40 years has been served;

(3) Life imprisonment without the possibility of parole, which means exactly what it says, that the defendant shall not be eligible for parole;

(4) Death.

INSTRUCTION NO. 4

A prison term of one hundred years with eligibility for parole beginning when a minimum of forty years has been served does not mean that the defendant would be paroled after forty years but only that he or she would be eligible for parole after that period of time.

Life imprisonment with the possibility of parole is a sentence to life imprisonment which provides that the defendant would be eligible for parole after a period of forty years. This does not mean that he would be paroled after forty years but only that he would be eligible for parole after that period of time.

Life imprisonment without the possibility of parole means exactly what it says, that the defendant shall not be eligible for parole.

If you sentence the defendant to death, you must assume that the sentence will be carried out.

INSTRUCTION NO. 5

In the penalty hearing, evidence may be presented concerning aggravating and mitigating circumstances relative to the offense, and any other evidence that bears on the Defendant's character.

Hearsay is admissible in a penalty hearing.

INSTRUCTION NO. 6

The law does not require the jury to impose the death penalty under any circumstances, even when the aggravating circumstances outweigh the mitigating circumstances. Nor is the Defendant required to establish any mitigating circumstances in order to be sentenced to less than death.

INSTRUCTION NO. 2

Any aspect of the Defendant's character or record and any of the circumstances of the offense, including any desire you may have to extend mercy to the Defendant, which a jury believes is a basis for imposing a sentence less than death may be considered a mitigating factor. Any one of them may be sufficient, standing alone, to support a decision that death is not the appropriate punishment in this case.

INSTRUCTION NO. 8

The jury is instructed that in determining the appropriate penalty to be imposed in this case that it may consider all evidence introduced and instructions given at the penalty hearing phase of these proceedings and the evidence introduced at the trial of this matter.

INSTRUCTION NO. 9

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

INSTRUCTION NO. 10

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

INSTRUCTION NO. 11

During the course of this proceeding, testimony may have been elicited regarding a prior penalty hearing. You are hereby instructed that you are not to consider during your deliberations any evidence, statements, or inferences regarding any prior penalty hearing or sentence.

INSTRUCTION NO. 12

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. When you have agreed upon your verdicts, they should be signed and dated by your foreperson.

INSTRUCTION NO. 13

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:


DISTRICT JUDGE

5-4-05

EXHIBIT 126

EXHIBIT 126

ORIGINAL

2

FILED

2004 APR 27 P 3:12

Alzora B. Jackson
CLERK

1 **0001**
DAREN B. RICHARDS
2 ACTING SPECIAL PUBLIC DEFENDER
Nevada Bar No. 5103
3 ALZORA B. JACKSON
Deputy Special Public Defender
4 Nevada Bar No. 2255
BRET O. WHIPPLE
5 Deputy Special Public Defender
Nevada Bar No. 6168
6 333 South Third Street, 2nd Floor
Las Vegas, NV 89155-2316
7 (702) 455-6265
Attorneys for Defendant
8

9
10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,)
13)
Plaintiff,)
14)
vs.)
15)
16 DONTE JOHNSON, aka)
JOHN LEE WHITE)
17 Defendant.)
18)

CASE NO. C153154
DEPT. NO. VIII
DATE OF HEARING:
TIME OF HEARING:

19 **MOTION TO BIFURCATE PENALTY PHASE**

20 COMES NOW, the Defendant, DONTE JOHNSON, aka JOHN LEE WHITE by and
21 through his attorneys DAREN B. RICHARDS, Acting Special Public Defender, ALZORA B.
22 JACKSON, Deputy Special Public Defender, and BRET O. WHIPPLE, Deputy Special Public
23 Defender and respectfully moves this Court for an Order bifurcating the penalty phase set
24 to commence on May 18, 2004.

RECEIVED

APR 27 2004

COUNTY CLERK




SPECIAL PUBLIC
DEFENDER
CLARK COUNTY
NEVADA

S13

AA09521

1 This Motion is based upon the attached Points and Authorities, on all papers and
2 pleadings on file herein, and on any oral argument allowed at the time of the hearing on
3 this Motion.

4 DATED this 27th day of April, 2004.

5
6 
ALZORA B. JACKSON
Deputy Special Public Defender
Nevada Bar No. 2255
333 South Third Street, 2nd Floor
Las Vegas, NV 89155-2316
(702) 455-6265
Attorneys for Defendant

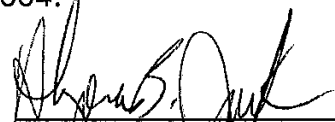
11 **NOTICE OF MOTION**

12 TO: STATE OF NEVADA, Plaintiff; and

13 TO: DAVID ROGER District Attorney, Attorney for Plaintiff

14 YOU WILL PLEASE TAKE NOTICE that the undersigned will bring on the above and
15 foregoing **MOTION TO BIFURCATE PENALTY PHASE** on the 10 day of May
16 , 2004, at the hour of 9:00 a.m., in Department No. VII of the above-entitled Court, or
17 as soon thereafter as counsel may be heard.

18 DATED this 27th day of April, 2004.

19
20 
ALZORA B. JACKSON
Deputy Special Public Defender
Nevada Bar No. 2255
333 South Third Street, 2nd Floor
Las Vegas, NV 89155-2316
(702) 455-6265
Attorneys for Defendant

1 **POINTS AND AUTHORITIES**

2 Under the Nevada death penalty scheme, like the death penalty schemes of other
3 states, the jury may impose a sentence of death only if it finds at least one aggravating
4 circumstance and further finds that there are no mitigating circumstances sufficient to
5 outweigh the aggravating circumstance or circumstances found. NRS 175.554(3)

6 Although Defendant believes that it is unconstitutional and a violation of Nevada
7 statute to introduce "character", "bad act" or other evidence suggesting that he is a bad
8 person that is not relevant to the statutory aggravating circumstances, and although he
9 has opposed such evidence in his opposition to Notice of State's evidence in support of
10 aggravating circumstances, he is aware that such evidence is often admitted during the
11 penalty phase of a capital trial. See, Allen v. State, 99 Nev. 485, 488, 665 P.2d 238,
12 240 (1983) (citing NRS 175.552(3)). In the event that such evidence is permitted to be
13 introduced by the prosecution in this case, it must not be heard by the jurors prior to the
14 time that they determine whether Mr. Johnson is eligible for the death penalty.

15 The "aggravating circumstances/mitigating factors" scheme for determining death
16 eligibility is essential to the process of narrowing the class of defendants who are death
17 eligible. Arave v. Creech, 507 U.S. 463, 470-74, 113 S.Ct. 1534, 123 L.ED.2d 188
18 (1993); Middleton v. State, 114 Nev. Adv. Op. 120, 968 P.2d 296, 314 (1998).
19 Character evidence must not be used to determine whether a defendant is death eligible.
20 The Nevada Supreme Court "did not hold in Allen that evidence outside the purview of
21 NRS 200.033 could serve to render a defendant death eligible. Only enumerated
22 aggravating circumstances pursuant to NRS 200.033 can do this." Id.

23 Only after the jury has determined that a defendant is death eligible – after
24 considering the statutory aggravating circumstances and mitigating factors – may the jury
25 consider character evidence against the defendant. Middleton, 968 P.2d at 314. "At
26 this final stage, evidence presented pursuant to NRS 175.552(3) can influence the
27 decision to impose death, but this comes after the narrowing to death eligibility has
28 occurred." Id.

1 Support for a bifurcated penalty phase is also found in a decision by the United
2 States Supreme Court. In Buchanan v. Angelone, 522 U.S. 269, 118 S.Ct. 757, 760,
3 139 L.Ed.2d 702 (1998), the Court explained as follows:

4 Petitioner initially recognizes, as he must, that our cases have distinguished
5 between two different aspects of the capital sentencing process, the
6 eligibility phase and the selection phase. Tuilaepa v. California, 512 U.S.
7 967, 971, 114 S.Ct. 2630, 2634, 129 L.Ed.2d 750 (1994). In the
8 eligibility phase the jury narrows the class of defendants eligible for the
9 death penalty, often through consideration of aggravating circumstances.
10 Id. at 971, 114 S.Ct., at 2634. In the selection phase, the jury determines
11 whether to impose a death sentence upon an eligible defendant. Id. at 972,
12 114 S.Ct. at 2634-2635.

13 The law in this area has become even more clear since Mr. Johnson's two (2) prior
14 penalty hearings. In a somewhat recent case our Nevada Supreme Court addressed this
15 issue. In Evans v. State, 28 P.3d 498, 117 Nev. Adv. Op. 50 (2001), the Nevada
16 Supreme Court explained as follows:

17 To determine that a death sentence is warranted, a jury considers three
18 types of evidence: evidence relating to aggravating circumstances,
19 mitigating circumstances, and any other matter which the court deems
20 relevant to sentencing. The evidence at issue here was the third type, other
21 matter evidence. In deciding whether to return a death sentence, the jury
22 can consider such evidence only after finding the defendant death eligible,
23 i.e., after it has found unanimously at least one enumerated aggravator and
24 each juror has found that any mitigators do not outweigh the aggravators.
25 Of course, if the jury decides that death is not appropriate, it can consider
26 other matter evidence in deciding on another sentence. Id. at pg. 515

27 **CONCLUSION**

28 Mr. Johnson respectfully requests that if this Court permits the State to introduce

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...
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1 character evidence that is not relevant to the statutory aggravating circumstances, that
2 the penalty phase be bifurcated into an "eligibility" phase and a "selection" phase.

3 DATED this 27 day of April, 2004.

4 RESPECTFULLY SUBMITTED,

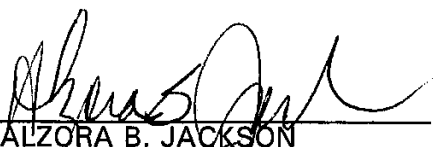
5 
6
7 ALZORA B. JACKSON
8 Deputy Special Public Defender
9 Nevada Bar No. 2255
10 333 South Third Street, 2nd Floor
11 Las Vegas, NV 89155-2316
12 (702) 455-6265
13 Attorneys for Defendant
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EXHIBIT 127

EXHIBIT 127

ORIGINAL

0001

DAVID M. SCHIECK
SPECIAL PUBLIC DEFENDER
Nevada Bar No. 824
ALZORA B. JACKSON
Deputy Special Public Defender
Nevada Bar No. 2255
333 S. Third Street, 2nd Floor
Las Vegas, NV 89155
(702) 455-6265
BRET O. WHIPPLE
Nevada Bar No. 6168
229 S. Las Vegas Blvd., Suite 205
Las Vegas, NV 89101
(702) 257-9500
Attorneys for Defendant

FILED IN OPEN COURT
APR 12 2005

SHIRLEY B. PARRAGUIRRE, CLERK
BY Sharon Coffman
DEPUTY
SHARON COFFMAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

vs.

DONTE JOHNSON, aka
JOHN LEE WHITE
Defendant.

CASE NO. C153154

DEPT. NO. VIII

DATE OF HEARING:
TIME OF HEARING:

MOTION TO RECONSIDER REQUEST TO BIFURCATE PENALTY PHASE

COMES NOW, the Defendant, DONTE JOHNSON, aka JOHN LEE WHITE by and through his attorneys DAVID M. SCHIECK, Special Public Defender, ALZORA B. JACKSON, Deputy Special Public Defender, and BRET O. WHIPPLE and respectfully moves this Court for an Order bifurcating the penalty phase set to commence on April 19, 2005.

...

...


SPECIAL PUBLIC
DEFENDER
CLARK COUNTY
NEVADA

S15

AA09527

1 This Motion is based upon the attached Points and Authorities, on all papers and
2 pleadings on file herein, and on any oral argument allowed at the time of the hearing on
3 this Motion.

4 DATED this 11th day of April, 2005.

5
6 
ALZORA B. JACKSON
Deputy Special Public Defender
Nevada Bar No. 2255
333 South Third Street, 2nd Floor
Las Vegas, NV 89155-2316
(702) 455-6265
Attorneys for Defendant

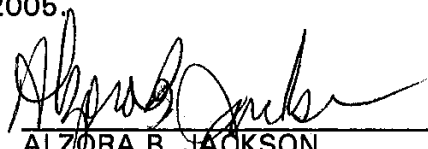
11 **NOTICE OF MOTION**

12 TO: STATE OF NEVADA, Plaintiff; and

13 TO: DAVID ROGER District Attorney, Attorney for Plaintiff

14 YOU WILL PLEASE TAKE NOTICE that the undersigned will bring on the above and
15 foregoing **MOTION RECONSIDER REQUEST TO BIFURGATE PENALTY PHASE** on the _
16 ____ day of April, 2005 at the hour of 9:30 a.m., in Department No. VII of the above-
17 entitled Court, or as soon thereafter as counsel may be heard.

18 DATED this ____ day of April, 2005.

19
20 
ALZORA B. JACKSON
Deputy Special Public Defender
Nevada Bar No. 2255
333 South Third Street, 2nd Floor
Las Vegas, NV 89155-2316
(702) 455-6265
Attorneys for Defendant

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SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

1 **POINTS AND AUTHORITIES**

2 Under the Nevada death penalty scheme, like the death penalty schemes of other
3 states, the jury may impose a sentence of death only if it finds at least one aggravating
4 circumstance and further finds that there are no mitigating circumstances sufficient to
5 outweigh the aggravating circumstance or circumstances found. NRS 175.554(3)

6 Although Defendant believes that it is unconstitutional and a violation of Nevada
7 statute to introduce "character", "bad act" or other evidence suggesting that he is a bad
8 person that is not relevant to the statutory aggravating circumstances, and although he
9 has opposed such evidence in his opposition to Notice of State's evidence in support of
10 aggravating circumstances, he is aware that such evidence is often admitted during the
11 penalty phase of a capital trial. See, Allen v. State, 99 Nev. 485, 488, 665 P.2d 238,
12 240 (1983) (citing NRS 175.552(3)). In the event that such evidence is permitted to be
13 introduced by the prosecution in this case, it must not be heard by the jurors prior to the
14 time that they determine whether Mr. Johnson is eligible for the death penalty.

15 The "aggravating circumstances/mitigating factors" scheme for determining death
16 eligibility is essential to the process of narrowing the class of defendants who are death
17 eligible. Arave v. Creech, 507 U.S. 463, 470-74, 113 S.Ct. 1534, 123 L.ED.2d 188
18 (1993); Middleton v. State, 114 Nev. Adv. Op. 120, 968 P.2d 296, 314 (1998).
19 Character evidence must not be used to determine whether a defendant is death eligible.
20 The Nevada Supreme Court "did not hold in Allen that evidence outside the purview of
21 NRS 200.033 could serve to render a defendant death eligible. Only enumerated
22 aggravating circumstances pursuant to NRS 200.033 can do this." Id.

23 Only after the jury has determined that a defendant is death eligible – after
24 considering the statutory aggravating circumstances and mitigating factors – may the jury
25 consider character evidence against the defendant. Middleton, 968 P.2d at 314. "At
26 this final stage, evidence presented pursuant to NRS 175.552(3) can influence the
27 decision to impose death, but this comes after the narrowing to death eligibility has
28 occurred." Id.

1 Support for a bifurcated penalty phase is also found in a decision by the United
2 States Supreme Court. In Buchanan v. Angelone, 522 U.S. 269, 118 S.Ct. 757, 760,
3 139 L.Ed.2d 702 (1998), the Court explained as follows:

4 Petitioner initially recognizes, as he must, that our cases have distinguished
5 between two different aspects of the capital sentencing process, the
6 eligibility phase and the selection phase. Tuilaepa v. California, 512 U.S.
7 967, 971, 114 S.Ct. 2630, 2634, 129 L.Ed.2d 750 (1994). In the
8 eligibility phase the jury narrows the class of defendants eligible for the
death penalty, often through consideration of aggravating circumstances.
Id. at 971, 114 S.Ct., at 2634. In the selection phase, the jury determines
whether to impose a death sentence upon an eligible defendant. Id. at 972,
114 S.Ct. at 2634-2635.

9 The law in this area has become even more clear since Mr. Johnson's two (2) prior
10 penalty hearings. In a somewhat recent case our Nevada Supreme Court addressed this
11 issue. In Evans v. State, 28 P.3d 498, 117 Nev. Adv. Op. 50 (2001), the Nevada
12 Supreme Court explained as follows:

13 To determine that a death sentence is warranted, a jury considers three
14 types of evidence: evidence relating to aggravating circumstances,
15 mitigating circumstances, and any other matter which the court deems
16 relevant to sentencing. The evidence at issue here was the third type, other
17 matter evidence. In deciding whether to return a death sentence, the jury
18 can consider such evidence only after finding the defendant death eligible,
i.e., after it has found unanimously at least one enumerated aggravator and
each juror has found that any mitigators do not outweigh the aggravators.
Of course, if the jury decides that death is not appropriate, it can consider
other matter evidence in deciding on another sentence. Id. at pg. 515

19 CONCLUSION

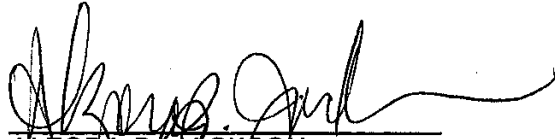
20 Mr. Johnson respectfully requests that if this Court permits the State to introduce

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1 character evidence that is not relevant to the statutory aggravating circumstances, that
2 the penalty phase be bifurcated into an "eligibility" phase and a "selection" phase.

3 DATED this 11 day of April, 2005.

4 RESPECTFULLY SUBMITTED,

5 
6

7 ALZORA B. JACKSON
8 Deputy Special Public Defender
9 Nevada Bar No. 2255
10 333 South Third Street, 2nd Floor
11 Las Vegas, NV 89155-2316
12 (702) 455-6265
13 Attorneys for Defendant
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1 **ROC**

2 DAVID M. SCHIECK
3 SPECIAL PUBLIC DEFENDER
4 Nevada Bar No. 824
5 ALZORA B. JACKSON
6 Deputy Special Public Defender
7 Nevada Bar No. 2255
8 333 S. Third Street, 2nd Floor
9 Las Vegas, NV 89155
10 (702) 455-6265

11 BRET O. WHIPPLE
12 Nevada Bar No. 6168
13 229 S. Las Vegas Blvd., Suite 205
14 Las Vegas, NV 89101
15 (702) 257-9500
16 Attorneys for Defendant

17
18 DISTRICT COURT
19 CLARK COUNTY, NEVADA
20

21 THE STATE OF NEVADA,
22
23 Plaintiff,

24 vs.

25 DONTÉ JOHNSON, aka
26 JOHN LEE WHITE
27
28 Defendant.

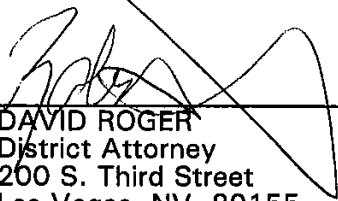
CASE NO. C153154

DEPT. NO. VIII

DATE OF HEARING:
TIME OF HEARING:

29
30 **RECEIPT OF COPY**

31 RECEIPT OF COPY of the foregoing **MOTION RECONSIDER REQUEST TO**
32 **BIFURCATE PENALTY PHASE** is hereby acknowledged this 12 day of April, 2005.

33
34
35 
36 DAVID ROGER
37 District Attorney
38 200 S. Third Street
39 Las Vegas, NV 89155
40 Attorney for Plaintiff

SPECIAL PUBLIC
DEFENDER

CLARK COUNTY
NEVADA

AA09532

EXHIBIT 128

EXHIBIT 128

1 VER

2 FILED IN OPEN COURT

3 APR 28 2005 2:30pm

4 SHIRLEY B. PARRAGUIRRE, CLERK

5 DISTRICT COURT BY
6 CLARK COUNTY, NEVADA7 SHARON COFFMAN
8 DEPUTY

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 DONTÉ JOHNSON,

13 Defendant.

14 Case No. C153154

15 Dept No. VIII

16 SPECIAL VERDICT

17 The Defendant, DONTÉ JOHNSON, having been found Guilty of COUNT XI -
18 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, we, the Jury
19 in the above entitled case, find20 ☒ The aggravating circumstance outweighs any mitigating circumstance or
21 circumstances.22 ☐ The mitigating circumstance or circumstances outweigh the aggravating
23 circumstance.

24 DATED at Las Vegas, Nevada, this 20 day of April, 2005.

25 *Ami Carrese*
26 FOREPERSON
27
28

S12

551

1 VER

FILED IN OPEN COURT

APR 28 2005 2:30pm.

SHIRLEY B. PARRAGUIRRE, CLERK

2
3
4 DISTRICT COURT BY Sharon Coffman
CLARK COUNTY, NEVADA

DEPUTY
SHARON COFFMAN

5
6
7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 DONTE JOHNSON,

11 Defendant.
12
13

Case No. C153154

Dept No. VIII

14 SPECIAL VERDICT

15 The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XI -
16 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, one or more
17 of the jurors designate that the mitigating circumstance or circumstances which have been
18 checked below have been established.



The youth of the defendant at the time of the crime.



21 The murder was committed while the defendant was under the influence of
22 extreme mental or emotional disturbance.

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S12

AA09535

1 ☒ Any other mitigating circumstance. (Please List)

2 Instruction #10

3 Mitigator #3 (Line 8+9)

4 Mitigator #5 (Line 12+13)

5 Mitigator #6 (Line 14)

6 Mitigator #7 (Line 15+16)

7 Mitigator #8 (Line 17)

8 Mitigator #10 (Line 20+21)

23
24 DATED at Las Vegas, Nevada, this 28 day of April, 2005.

25 Jani Caranto
26 FOREPERSON
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28

FILED IN OPEN COURT

APR 28 2005

2:30 pm

SHIRLEY B. PARRAGUIRRE, CLERK

BY Sharon Coffman
SHARON COFFMAN
DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

SPECIAL VERDICT

The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XII - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, we, the Jury in the above entitled case, designate that the aggravating circumstance or circumstances which have been checked below have been established unanimously and beyond a reasonable doubt.

☒ The defendant has, in the immediate proceeding, been convicted of more than one offense of murder in the first or second degree.

DATED at Las Vegas, Nevada, this 28 day of April, 2005.

Emi Argente
FOREPERSON

S12

AA09537

593

1 VER

FILED IN OPEN COURT

APR 28 2005

2:30 p.m.

SHIRLEY D. PARRAGUIRRE, CLERK

BY *Sharon Coffman*

DISTRICT COURT
CLARK COUNTY, NEVADA

SHARON COFFMAN
DEPUTY

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -vs-

10 DONTE JOHNSON,

11 Defendant.

Case No. C153154

Dept No. VIII

14 SPECIAL VERDICT

15 The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XII -
16 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, one or more
17 of the jurors designate that the mitigating circumstance or circumstances which have been
18 checked below have been established.

19 ☒ The youth of the defendant at the time of the crime.

20 ☐ The murder was committed while the defendant was under the influence of
21 extreme mental or emotional disturbance.

22 //

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S12

1 ☒ Any other mitigating circumstance. (Please List)

2 Instruction #10

3 Mitigator #3 (Lines 8+9)

4 Mitigator #5 (Lines 12+13)

5 Mitigator #6 (Line 14)

6 Mitigator #7 (Lines 15+16)

7 Mitigator #8 (Line 17)

8 Mitigator #108 (Lines 20+21)

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24 DATED at Las Vegas, Nevada, this 28 day of April, 2005.

25 Janie Casper
26 FOREPERSON
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594
1 VER

FILED IN OPEN COURT

APR 28 2005 2:30 p.m.

SHIRLEY B. PARRAGUIRRE, CLERK

2
3
4 DISTRICT COURT
CLARK COUNTY, NEVADA

BY Sharon Coffman

DEPUTY

SHARON COFFMAN

5
6 THE STATE OF NEVADA,

7 Plaintiff,

8 -vs-

9 DONTÉ JOHNSON,

10
11 Defendant.

Case No. C153154

12 Dept No. VIII

13
14 SPECIAL VERDICT

15 The Defendant, DONTÉ JOHNSON, having been found Guilty of COUNT XIII -
16 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, we, the Jury
17 in the above entitled case, find

18 ☒ The aggravating circumstance outweighs any mitigating circumstance or
19 circumstances.

20 ☐ The mitigating circumstance or circumstances outweigh the aggravating
21 circumstance.

22 DATED at Las Vegas, Nevada, this 28 day of April, 2005.

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24 Janie Casente
FOREPERSON

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S12

AA09540

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FILED IN OPEN COURT

APR 28 2005 2:31 p.m.

SHIRLEY B. PARRAGUIRRE, CLERK

BY *Sharon Coffman*

DISTRICT COURT
CLARK COUNTY, NEVADA

SHARON COFFMAN
DEPUTY

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

SPECIAL VERDICT

The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XIII - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, we, the Jury in the above entitled case, designate that the aggravating circumstance or circumstances which have been checked below have been established unanimously and beyond a reasonable doubt.

☒ The defendant has, in the immediate proceeding, been convicted of more than one offense of murder in the first or second degree.

DATED at Las Vegas, Nevada, this 28 day of April, 2005.

Jamie Cozart
FOREPERSON

S12

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VER

FILED IN OPEN COURT

APR 28 2005 2:30 p.m.

SHIRLEY B. PARRAGUIRE, CLERK

BY *Sharon Coffman*

SHARON COFFMAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

SPECIAL VERDICT

The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, we, the Jury in the above entitled case, designate that the aggravating circumstance or circumstances which have been checked below have been established unanimously and beyond a reasonable doubt.

☒ The defendant has, in the immediate proceeding, been convicted of more than one offense of murder in the first or second degree.

DATED at Las Vegas, Nevada, this 28 day of April, 2005.

Jamie Coffman
FOREPERSON

S12

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VER

FILED IN OPEN COURT

APR 28 2005

2:39m

SHIRLEY B. PARRAGUIRRE, CLERK

BY *Sharon Coffman*

DISTRICT COURT
CLARK COUNTY, NEVADA

DEPUTY
SHARON COFFMAN

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

SPECIAL VERDICT

The Defendant, DONTE JOHNSON, having been found Guilty of COUNT XIV - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON, one or more of the jurors designate that the mitigating circumstance or circumstances which have been checked below have been established.

☒ The youth of the defendant at the time of the crime.

☐ The murder was committed while the defendant was under the influence of extreme mental or emotional disturbance.

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S12

AA09543

☒ Any other mitigating circumstance. (Please List)

Instruction #10

Mitigator #3 (Lines 8+9)

Mitigator #5 (Lines 12+13)

Mitigator #6 (Line 14)

Mitigator #7 (Lines 15+16)

Mitigator #8 (Line 17)

Mitigator #10~~8~~ (Lines 20+21)

DATED at Las Vegas, Nevada, this 20 day of April, 2005.


FOREPERSON

EXHIBIT 129

EXHIBIT 129

1 VER

FILED IN OPEN COURT

MAY 05 2005 11:00

SHIRLEY B. PARRAGUIRRE, CLERK

BY Sharon Coffman
SHARON COFFMAN, CLERKDISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,)

9 Plaintiff,)

10 -vs-)

11 DONTE JOHNSON,)

12 Defendant.)

Case No. C153154

Dept No. VIII

14 VERDICT

15 The Defendant, DONTE JOHNSON, having been found guilty of COUNT XI -
 16 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (Jeffrey
 17 Biddle), and we, the Jury, having found that the aggravating circumstance outweighs any
 18 mitigating circumstances, impose a sentence of

19 ☒ Death20 ☐ Life in Nevada State Prison Without the Possibility of Parole21 ☐ Life in Nevada State Prison With the Possibility of Parole

22 ☐ A definite term of 100 years imprisonment, with eligibility for parole beginning
 23 when a minimum of 40 years has been served

24 DATED at Las Vegas, Nevada, this 5 day of May, 200525 Samir Carpenter
26 FOREPERSON

JUDGMENT ENTERED

S12

MAY 24 2005

CE-02

AA09546

586

1 VER

FILED IN OPEN COURT

MAY 05 2005

11:00 A

SHIRLEY D. BARRACLOUGH, CLERK

BY *Sharon Coffman*

DEPUTY
SHARON COFFMAN

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,

9 Plaintiff,

10 -VS-

11 DONTE JOHNSON,

12 Defendant.

Case No. C153154

Dept No. VIII

14 VERDICT

15 The Defendant, DONTE JOHNSON, having been found guilty of COUNT XII -
16 MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (Tracey
17 Gorringer), and we, the Jury, having found that the aggravating circumstance outweighs any
18 mitigating circumstances, impose a sentence of

19 ☒ Death

20 ☐ Life in Nevada State Prison Without the Possibility of Parole

21 ☐ Life in Nevada State Prison With the Possibility of Parole

22 ☐ A definite term of 100 years imprisonment, with eligibility for parole beginning
23 when a minimum of 40 years has been served

24
25 DATED at Las Vegas, Nevada, this 5 day of May, 2005

26 *Ami C. [Signature]*
27 FOREPERSON
28

588

1 VER

FILED IN OPEN COURT

MAY 05 2005

11:10 A

CHIEF CLERK

BY *Sharon Coffman*

SHARON COFFMAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

VERDICT

The Defendant, DONTE JOHNSON, having been found guilty of COUNT XIII - MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (Matthew Mowen), and we, the Jury, having found that the aggravating circumstance outweighs any mitigating circumstances, impose a sentence of

☒ Death

☐ Life in Nevada State Prison Without the Possibility of Parole

☐ Life in Nevada State Prison With the Possibility of Parole

☐ A definite term of 100 years imprisonment, with eligibility for parole beginning when a minimum of 40 years has been served

DATED at Las Vegas, Nevada, this 5 day of May, 2005

Janie Lopez
FOREPERSON

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VER

FILED IN OPEN COURT

MAY 05 2005 11:00 A

SHIRLEY B. PARRAGUIRRE, CLERK

BY Sharon Coffman

SHARON COFFMAN

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DONTE JOHNSON,

Defendant.

Case No. C153154

Dept No. VIII

VERDICT

The Defendant, DONTE JOHNSON, having been found guilty of COUNT XIV -
MURDER OF THE FIRST DEGREE WITH USE OF A DEADLY WEAPON (Peter
Talamentez), and we, the Jury, having found that the aggravating circumstance outweighs
any mitigating circumstances, impose a sentence of

☒ Death

☐ Life in Nevada State Prison Without the Possibility of Parole

☐ Life in Nevada State Prison With the Possibility of Parole

☐ A definite term of 100 years imprisonment, with eligibility for parole beginning
when a minimum of 40 years has been served

DATED at Las Vegas, Nevada, this 5 day of May, 2005

Samu Agente
FOREPERSON

EXHIBIT 130

EXHIBIT 130

Declaration of Arthur James Cain

I, Arthur James Cain, hereby declare as follows:

1. I am sixty-three years old. I currently reside in Los Angeles County, California. I am the only brother of Eunice Cain, the mother of John White's (Donte Johnson). I am the second of seven children.
2. Eunice was born with a lung condition. She was slow and in Special Ed classes. She relied on the family for assistance in doing things. She did not work.
3. Eunice met Johnny White, who was also slow. They dated and later married. I went to their home almost daily. Johnny treated Eunice like a child.
4. Eunice, Johnny and I drank beer and smoked sherm (PCP) and cigarettes together every day. Eunice smoked crack cocaine.
5. Johnny and Eunice argued a lot. He disrespected her, but he never hit her in my presence.
6. When Eunice became pregnant with John (Donte), she continued to smoke sherm and cigarettes and drink beer. We smoked together.
7. When John (Donte) was a young child, Johnny abused him. Johnny often hit and slapped John (Donte) upside the head with an open hand.
8. Eunice was in an abusive relationship. She took her children and left Johnny after he knocked her two front teeth out.
9. Eunice's children were taken away from her. She left them in the shack unattended with my sister, Pam's children. They were eventually placed in the care of my mother, Jane Edwards.

ASC

10. The neighborhood (43rd Street) was drug infested. Most of my sisters used drugs. Eunice, Faye and Pam were very close and used drugs.
11. Jane had a hard time raising her grandchildren, but there was nothing she didn't try to do for them. She was everybody's "Big Momma." Her house was open to the children in the neighborhood.
12. I testified for the defense at the penalty phase of John's (Donte's) original trial in 2000. I answered all the questions John's (Donte's) attorneys asked me. If his attorneys had asked, I would have told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 29, 2018.

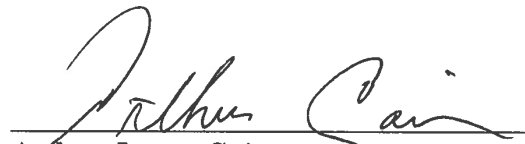

Arthur James Cain

EXHIBIT 131

EXHIBIT 131

Declaration of Deborah White

I, Deborah White, hereby declare as follows:

1. I am forty-nine years old. I currently reside in Los Angeles County, California. I am John White's (Donte Johnson) maternal aunt.
2. His mother, Eunice, is my older sister. She was slow functioning. She was a premature baby and almost died at birth. She was born with undeveloped lungs. She experienced difficulty writing and reading and wasn't able to take care of her personal business.
3. My siblings and I protected Eunice from others and helped her. Eunice met Johnny White and married him.
4. Johnny and Eunice had a drug addiction. They smoked sherm and drank beer. Eunice continued to smoke sherm and crack cocaine and drink beer during her pregnancy with John (Donte).
5. Most of my siblings smoked marijuana at one time. Pam, Eunice and Wanda were close. They hung together in the streets. I babysat for Eunice and Pam when they were out.
6. Eunice and Johnny had a good marriage until drugs and physical abuse controlled it. I never saw the abuse, but I saw the results of it. Eunice left Johnny after he knocked both of her front teeth out. She received medical attention for it.

7. When Eunice's children were taken from her, they were eventually placed in my mother, Jane's home. I lived with my mother while all the grandchildren were there.
8. It was hard raising ten grandchildren but Jane loved all of them as if they were her children. She did not discipline the grandchildren much.
9. She loved all the neighborhood kids and accepted them as her own. Many of the kids called her mom.
10. We lived on 60th Street during the time John (Donte) was a teenager. The neighborhood was rough. It was drug and gang infested. There were shootings in the neighborhood and on public transportation. It wasn't a safe place to live.
11. During that time, boys were easily convinced to join gangs because they needed protection in the hood.
12. Cassie Ragsdale is the first person from John's (Donte White) defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 27, 2018.

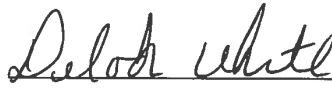

Deborah White

EXHIBIT 132

EXHIBIT 132

Declaration of Douglas McGhee

I, Douglas McGhee, hereby declare as follows:

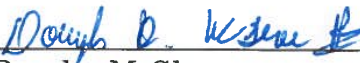
1. I am forty-six years old. I currently reside in Los Angeles County, California. I am a friend of John White (Donte Johnson).
2. John (Donte) moved into the neighborhood I lived in, 60th Street. We lived a few blocks from each other. It was a rough neighborhood. I was already a member of the Six Deuce gang. There was a lot of drug and gang activity. Shots fired was a common thing in the neighborhood.
3. Jane and Samuel Edwards struggled like others in the neighborhood. Jane was affectionately known as Big Mama. She tried to care for all the children in the area. She was everybody's momma.
4. John (Donte) lived with me and my girlfriend, Donna ^{Reveries} ~~Cain~~, upon his release from the youth authority (CYA) for about one year. John (Donte) and Donna are cousins. I was responsible for taking John to and from school.
5. I did the best I knew how to help John (Donte). I was somewhat a positive impact but I was also a bad influence. John (Donte) and I made a hustle selling drugs.
6. I lived in Las Vegas, Nevada about one year. I know Todd Armstrong, Brian Johnson, and Ace Hart. I used to sale drugs to them. Within a four month time period, Todd went to a minimum one hundred dollar daily addiction drug habit. I believe Todd is the mastermind behind the robbery.

DM

AA09557

7. Cassie Ragsdale is the first person from John's (Donte White) defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 28, 2018.



Douglas McGhee

EXHIBIT 133

EXHIBIT 133

Declaration of Elizabeth Blanding

I, Elizabeth Blanding, hereby declare as follows:

1. I am seventy-five years old. I currently reside in Los Angeles County, California. I am the friend of Jane Edwards, grandmother of John White (Donte Johnson).
2. I met Jane around 1980 at True Zion Baptist Church and we remained friends until her passing.
3. The Edwards family lived in a rough area of the city. One time Jane told me she was trying to keep John (Donte Johnson) out of the gangs. He told Jane gang members were trying to recruit him.
4. Jane was happy that Eunice had started to turn her life around. When Jane became a resident of the nursing home, due to her failing health, Eunice daily visited her.
5. Cassie Ragsdale is the first person from John's (Donte White) defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 29, 2018.


Elizabeth Blanding

EXHIBIT 134

EXHIBIT 134

Declaration of Jesse James Drumgole

I, Jesse James Drumgole, hereby declare as follows:

1. I am fifty-seven years old. I currently reside in Los Angeles County, California.
2. I knew John White (Donte Johnson) by dating his aunt, Lolita Edwards. I sometimes stayed in the Edwards home overnight. I have three children by Lolita.
3. Jane Edwards struggled raising the grandchildren in her household. She was an older lady caring for about ten grandchildren.
4. Samuel Edwards, Jane's husband didn't interact with the grandchildren. He didn't do much around the home.
5. The biggest problem in the Edward's household was the lack of guidance for the grandchildren.
6. Some of Jane's children, Eunice, Arthur, Pam, Wanda and Deborah dealt with drug addictions during that time.
7. The gang and drug activity on 43rd Street was bad. It was worse on 60th Street.
8. Cassie Ragsdale is the first person from Donte's defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 27, 2018.

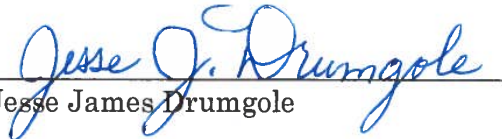

Jesse James Drumgole

EXHIBIT 135

EXHIBIT 135

Declaration of Johnnisha Zamora

I, Johnnisha Zamora, hereby declare as follows:

1. I am thirty-nine years old. I currently reside in Los Angeles County, California. I am the oldest sister of John White (Donte Johnson).
2. My parents argued and fought a lot. One time, around age five, my mom placed me and my siblings in a closet. We stayed hidden until she returned to get us.
3. Some days there was no food in the house. One day my father took me and John (Donte) on a side street and got bread out of a trash can. We took it home.
4. When I was in elementary school, I looked at my mom and aunts use a pipe and drugs. They drank beer.
5. I was around age seven when we were removed from the shack in my great grandmother's (Nora West) backyard. It was the first time I had been separated from John (Donte).
6. We went to live with my grandmom, Jane Edwards and step grandad, Samuel Edwards. John (Donte) protected all the kids in the household. He was the oldest male.
7. My grandparents were older in age. They did the best they could to provide basic necessities for the household.
8. We lived in rough neighborhoods. When we moved to 60th Street it was worse than 43rd Street. John (Donte) and I were bullied at school. We had to cross gang turfs



AA09564

to go to school. There were gang members who stood on the corners and in front of our house.

9. Many of the boys, around age thirteen, were gang members. Boys were in greater need of protection than girls. Most of the boys in the neighborhood were gang members.
10. Around age thirteen, the Rodney King riots took place on the corner close to our house. There was a lot of smoke, fires and people running. It was a frightening time.
11. The neighborhood was drug and gang infested. There were gun shots and crime. Many people were homeless. One time, on 43rd Street, there was a white lady found dead in a vacant lot from our house. Later I was the victim of a stabbing and crossfire.
12. We didn't have mentors to talk to about life. There was no father figure. Grandad worked a lot and drank his beer and liquor. He fussed about people in and out of the house. People from the neighborhood always came over.
13. Grandmom was a provider of necessities and didn't talk much. She was responsible for all the grandchildren. Her daughters, Lolita and Deborah did not interact with the grandchildren.
14. We did not go on family vacations. Grandmom kept us active in the church. She did not have a driver license so grandad took us to church. Sometimes we rode the church van.

15. When I was around age nine, I was sexually abused by Jesse Drumgole. He was my aunt's boyfriend, who lived with us. He came into me and my sister's bedroom and inappropriately touched me in my private area. I told grandmom and started to sleep behind her in her bed. Jesse was later charged for the sexual abuse of his daughter and went to prison.
16. Many of my childhood experiences have caused me to overprotect my five children. I protect them from family members and other kids in the neighborhood. I don't allow the refrigerator to become empty. There is always enough room for privacy and their personal space. They are not allowed to walk to school. They are driven to school daily.
17. I testified for the defense at the penalty phase of John's (Donte's) original trial in 2000. I answered all the questions John's (Donte's) attorneys asked me. If his attorneys had asked, I would have told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 28, 2018.


Johnnisha Zamora

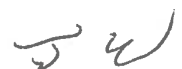
EXHIBIT 136

EXHIBIT 136

Declaration of Johnny Lee White

I, Johnny Lee White, hereby declare as follows:

1. I am sixty-seven years old. I currently reside in Los Angeles, California. I am the father of John White (Donte Johnson). He is my oldest child.
2. Around age four my family relocated from Dallas, Texas. There were twelve siblings. My father left the family when I was around age eight. We grew up in the Pueblo projects of LA where my mother struggled raising her children.
3. My highest level of education is twelfth grade. I was in Special Education classes. I hung around the wrong people, and I was always in trouble from elementary school through high school. I was suspended a lot. I liked to fight and start riots at school.
4. One time four boys jumped me, when I was alone in the Pueblo projects, but I beat all of them. I stopped fighting around age thirty.
5. Around age thirteen I drank alcohol and around age fourteen I sold and used drugs; mini bennie pills, black molly and acid (sherm). I went to juvenile detention for selling pills on the street. I was in and out of jail a lot. I went to prison two times; once for stealing and then a parole violation.
6. I met Eunice Cain in the Pueblo projects, where we both grew up. Eunice was around age sixteen and I was around age twenty. Eunice was pregnant at the time by another man. She miscarried around three months.



7. Eunice's mother, Jane Edwards, signed papers for us to marry. We had a church wedding and lived with Jane approximately four months before moving to the projects on 55th Street and later to 53rd Street.
8. Eunice became pregnant with John (Donte Johnson). He was a healthy baby. Eunice stayed at home with him. She did not work because she was very slow and had a soft spot in the top of her head. She received disability.
9. I worked on the trash truck for the city and did some mechanic work. I did most of the things around the house such as cook, clean and pay the bills. Eunice shopped for groceries and clothes and washed clothes with the help of her sister, Faye.
10. I drank Old English beer (40oz) and black velvet liquor. I drank around six (16oz) cans of beer mixed with liquor per day. A pint of liquor lasted a half of day. Although I still used drugs, Eunice and Pam introduced me to crack cocaine and my marriage started to go downhill shortly afterwards.
11. While under the influence of drugs and beer, I was abusive to Eunice. One time Jamie (Arthur James) told me I punched Eunice's front teeth out when I hit Eunice. I don't recall most of the things I did to her because I would black out from drinking.
12. Around eight months after Eunisha, last child, was born I walked out on my family. I was cheating with other women and continued using drugs.
13. I regret the day I walked out of my family's life. I never looked back for them. Later social services took the children away from Eunice and me.

JW

14. I went to prison and afterwards I participated in a Salvation Army residential drug treatment program for about nine months. It helped for a short period of time.
15. While in prison, I was diagnosed with schizophrenia. I currently have a psychiatry specialist. I have one brother, Leonard and one sister, Mae who are also diagnosed with schizophrenia.
16. Cassie Ragsdale is the first person from Donte's defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 26, 2018.


Johnny Lee White

EXHIBIT 137

EXHIBIT 137

Declaration of Keonna Bryant

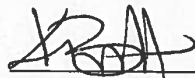
I, Keonna Bryant, hereby declare as follows:

1. I am forty-four years old. I currently reside in Los Angeles County, California. I am the cousin of John White (Donte Johnson). I am the second oldest grandchild of Jane Edwards (Big Mama).
2. Big Mama was a strong lady. She carried the weight of the family on her shoulders. She took care of her adult children and grandchildren (kids) to the best of her abilities. At one time there was up to twenty people who lived in our house.
3. I remember the family experienced financial, physical and mental struggles. There was no extra money to do the things I wanted to do, but I had what I needed. I knew when food was scarce, our main staple of beans, rice and chicken were available.
4. The kids and I saw our parents come by to get help. They came in the house strung out on drugs. Big Mama was always saddened by it.
5. I left the house around age sixteen but I later returned. ^{for an older boy, (K2)}
6. Big Mama suffered with diabetes and arthritis. She was a cancer survivor. She had a mastectomy when we lived on 43rd and Ascot Street.
7. Big Mama's husband, Samuel Edwards ~~was not a positive role model or strong male figure. He drank a lot of beer.~~ ^(K2) He was resentful about the household expansions. I remember he fussed most of the time. He tried to keep us under control but there were too many of us.
8. Samuel always generated negative energy. He wasn't a positive role model or strong male figure. He drank a lot of beer.

(K2)

9. When I was young, Big Mama kept the grandkids occupied with board games. As the grandkids and I became teenagers, Big Mama lost control over us. We started to do what we wanted to do.
10. My siblings and cousins were very close. We protected each other from trouble in the neighborhood. The neighborhoods were gang and drug infested.
11. Once when I was around age seventeen, I looked from the bathroom window and saw a lot of guys beat John (Donte). I told the other kids. We went to protect him but it was too late. I later discovered they had jumped him into the gang.
12. I received no positive influences within the neighborhood. My circumstances limited my exposure outside of the neighborhood.
13. I heard gun shots day and night. One time my cousins and I witnessed a shoot out across the street. The police chased a man into a house, and the man was killed by the police.
14. Big Mama loved us. She tried to be everything for all of us, but it was impossible.
15. I testified for the defense at the penalty phase of John's (Donte's) original trial in 2000. I answered all the questions John's (Donte's) attorneys asked me. If his attorneys had asked, I would have told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 30, 2018.



Keonna Bryant

EXHIBIT 138

EXHIBIT 138

Declaration of Lolita Edwards

I, Lolita Edwards, hereby declare as follows:

1. I am forty-nine years old. I currently reside in Los Angeles County, California. I am John White's (Donte Johnson) maternal aunt. His mother, Eunice, is my older sister.
2. My sister, Eunice was married to Johnny White. She was in an abusive relationship. One time Johnny knocked both of Eunice's front teeth out. Sometimes there were bruise marks on Eunice's body.
3. John White (Donte Johnson) witnessed the abuse in his family. One time he told me his dad beat on his mom.
4. Eunice was mentally disabled. She was could not read or control her finances.
5. Eunice had a drug and alcohol addiction. My mother, Jane Edwards, gained custody of Eunice's three children. She later gained custody of additional grandchildren.
6. Our family lived on 43rd Street and later moved to 60th Street. We moved because the landlord died. The 60th Street neighborhood was more infested with drugs and gang rivalry. It wasn't a safe neighborhood to live in.
7. Many nights gunshots could be heard and helicopters flying over the area. Everyone in the household was taught to lay on the floor when we heard gunshots ring out in the neighborhood.

LE

AA09575

8. It was a struggle raising the grandchildren. We did not go on vacations. My mother kept the family active in church. The grandchildren participated in the choir and usher board.
9. Cassie Ragsdale is the first person from Donte's defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 30, 2018.



Lolita Edwards

EXHIBIT 139

EXHIBIT 139

Declaration of Loma White


I, Loma White, hereby declare as follows:

1. I am sixty-four years old. I currently reside in Los Angeles County, California. I am John White's (Donte Johnson) aunt. His father, Johnny, is my brother.
2. I am the seventh child out of the twelve children of Walter Lee and Ora Marie White. There are six girls and six boys.
3. All of the children inherited neurofibromatosis from my father. It is a genetic disorder of the nervous system. Tumors may form anywhere in the nervous system and be outwardly visible. It may cause learning disabilities.
4. All of my brothers except the oldest, Walter, suffered from learning disabilities related to neurofibromatosis. They were in Special Ed classes in school. The girls were not mentally affected.
5. Johnny was a mischievous child. He was in trouble from his adolescent years to adulthood. He was incarcerated a few times.
6. I met Eunice Cain when she dated Johnny. She was mentally challenged more than Johnny. She was unable to read and write.
7. Eunice and Johnny married. The marriage was good but later became toxic with the onset of physical abuse and drug use. Johnny drank beer and he was addicted to "water" (sherm).
8. When Eunice and Johnny moved closer to her family, I was unable to keep in contact with the family and see the children as much.

Lw.

9. Cassie Ragsdale is the first person from John's (Donte's) defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 31, 2018.



Loma White

EXHIBIT 140

EXHIBIT 140

Declaration of Moises Zamora

I, Moises Zamora, hereby declare as follows:

1. I am forty-one years old. I currently reside in Los Angeles County, California. I am the brother in law of John White (Donte Johnson). I married his sister, Johnnisha.
2. I grew up about one mile west of Samuel and Jane Edwards home on 60th Street. It was a gang and drug infested neighborhood.
3. John (Donte) and his family were in a rough area. There was more violence from that neighborhood because it was a Blood neighborhood boxed in on all sides with Crips.
4. I joined the Crips around age seventeen. I joined at a late age because peer pressure won me over. I was from a two parent household with discipline and structure. I had uncles and a grandfather, who served as strong role models. The men in my life kept me actively involved in basketball and other gym activities.
5. As I got older, I felt more pressure from gang members in my neighborhood. All my friends started to gangbang and I felt left behind. Everybody around me was a gang member so I got jumped in. The nineties were full of gangs, crack and sherm.
6. I have a brother, three years younger, who was forbidden to join the gang. I kept him away from gang members. I didn't want him to be like me in the streets. I pushed him to be active in school and I protected him.
7. Boys who didn't join the gang had added pressure and more struggles in their life.

m2

AA09581

8. After I met Johnnisha, I visited the Edwards home. It was a dysfunctional home. There were many children and people who ran in and out of the home. Everybody, except the young babies, did what they wanted to do around the home.
9. The household started to drink beer and smoke weed in the backyard by early morning, with the exception of Jane and the babies. Samuel enjoyed his retirement, beer and cigarettes.
10. Jane was the more responsible adult. Jane ran behind kids to keep up with them. She was always tired. Jane and Samuel looked older, than they were, in age.
11. During the eighties and nineties it was like a jungle in the neighborhood. I entered high school as the Rodney King riots erupted. The peace treaty between colors didn't last long. The war on race evolved.
12. There was a countywide mandate that no school students were allowed to wear white t-shirts. The shirts were considered to encourage bloodshed and be worn by gangbangers.
13. I testified for the defense at the penalty phase of John's (Donte's) original trial in 2000. I answered all the questions John's (Donte's) attorneys asked me. If his attorneys had asked, I would have told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 28, 2018.



Moises Zamora

EXHIBIT 141

EXHIBIT 141

Declaration of Vonjelique Johnson

I, Vonjelique Johnson, hereby declare as follows:

1. I am thirty-nine years old. I currently reside in Los Angeles County, California. I am the mother of John White's (Donte Johnson) daughter, Anijah White.
2. I have known John (Donte) many years. John and I are from the same neighborhood. I grew up on 60th and Budlong and he was from 60th and Raymond/Normandie.
3. I dated John when I was around age seventeen and he was around age nineteen. Johnnisha, John's sister, and I were friends and in the same grade.
4. John was a nice and funny person. He always made jokes to deal with things and showed little emotion. He didn't trust people. He always internalized things.
5. I went to Jane Edward's home several times. I did not like to go to the home. One time I met John's mother, Eunice, and she was drugged out.
6. There was no control in the home. People were in and out of the house, who did not live there.
7. Jane and her husband were older people who tried to raise young kids. The children did what they wanted to do, due to their lack of supervision. John and the children needed guidance.
8. John struggled and tried to raise himself. He did what was needed to survive. He joined the gang. I knew he needed protection in the neighborhood and streets.



AA09584

9. The neighborhood was rough. It was drug, gun and gang infested. Shots could be heard throughout the neighborhood. John and I loss friends to gun violence.
10. I offered support for John and never pressured him to talk. He did not talk about anything that happened at home or in the streets. He never talked about foster care or his past.
11. My mother's home was a safe haven for John to have privacy and relax. He was always comfortable and secure there. He spent the night several times.
12. I traveled to Las Vegas a few times with John. He wanted to leave the LA neighborhood for a new start.
13. Cassie Ragsdale is the first person from John's (Donte's) defense team to ever contact me. If I had been asked to testify at Donte's original trial in 2000, or his resentencing in 2005, I would have agreed and told the jurors the things in this declaration.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was executed in Los Angeles County, California, on October 28, 2018.



Vonjellique Johnson

EXHIBIT 142

EXHIBIT 142



COUNTY OF LOS ANGELES
DEPARTMENT OF CHILDREN AND FAMILY SERVICES

PETER DIGRE
Director

PLEASE ADDRESS REPLY TO:
Edmund D. Edelman Children's Court
201 Centre Plaza Drive, Suite 4
Monterey Park, California 91754-2159

AFFADAVIT

In the Matter of :

John White
(An Adult Minor)

I, Mark Alvarado, decalare as following:

(a) I an a duly authorized custodian of records of the Department of Children and Family Services and have authority to certify said records, and

(b) The copy of the records attached to this affadavit is a true copy of all the records contained in the Department of Children's Services folder of

Eunice Cain

Pages : 61

otherwise confidential pursuant to Welfare and institutions Code sections 827 and 10850 and Penal code section 11165 et seq., and

(c) The records were prepared by the personnel of the Department of Children's Services in the ordinalry course of business at or near the time of the act, condition, or event.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 31, 2000 at Monterey Park, California.

MARK ALVARADO

ATTORNEY (1)		ATTORNEY (2)		SA OCCUPATION		MO OCCUPATION	
ADDRESS		ADDRESS		PLACE OF WORK		PLACE OF WORK	
PHONE		PHONE		\$/MONTH		\$/MONTH	
TYPE		TYPE					
PRESENT TODAY		DECLARED		Continued to:		HEARING:	
				Non App		Arraignment	
				App		Adjudication	
						Judicial Review	
						Other:	
Mother - 300 a		Order Detained At:				Reasons: (Enter any amendments)	
Father - 300 b							
C.B.W. - 300 c		PETITION		DISPOSITION			
C.C. - 300 d		Amended		H.O.P.			
Atty 1 - 300 e		Sustained		Suitable Placement			
Atty 2 - 300 f		Dismissed: 330 Supervision		SP rel. to relative			
Others -		Dismissed		Trans to County of:			
		Case Dismissed					
Dept 237		Date 01/08/91		App/Non App APPEAR		Hearing Officer	
						Signature of Court Officer	

IN THE MATTER OF:

RESULTS OF JUVENILE COURT HEARING DEPENDENT

(1) Minor's Name WHITE, JOHN	Sex M	D.O.B. [REDACTED] '78	COURT NO: J954082
(2) Siblings WHITE, JOHNISHA	F	[REDACTED] '79	
(3) WHITE, EUNISHA	F	[REDACTED] '81	
(4)			
Petition Status		Current Whereabouts MATERNAL GRANDMOTHER	
CSW CAROLYN OJURI	PH-16	Location METRO FAMILY SERVICES	
Recommendation			

FAMILY DATA		#Siblings	DCS # S2213	Legal Custody	Natural Parents Marital Status
Father	Address		Phone	Soc Sec #	Age
WHITE, JOHN LEE (MA)	[REDACTED] LOS ANGELES, CA 90011				
Mother	Address		Phone	Soc Sec #	Age
CAIN, EUNICE	[REDACTED] LOS ANGELES, CA 90044		(213) [REDACTED]		
Guardian/Relative	Address		Phone	Soc Sec #	Age
MATERNAL GRANDMOTHER	[REDACTED] LOS ANGELES, CA 90044		(213) [REDACTED]		

PRESENT PLACEMENT				ESC:				Phone:			
For Minor #1	#2	#3	#4	For Minor #1	#2	#3	#4	For Minor #1	#2	#3	#4
Address				Address				Address			
Foster Parent/Insti				Foster Parent/Insti				Foster Parent/Insti			
For Minor #1	#2	#3	#4	For Minor #1	#2	#3	#4	For Minor #1	#2	#3	#4
Address				Address				Address			
Foster Parent/Insti				Foster Parent/Insti				Foster Parent/Insti			

REFERRAL INFO & RECENT COURT ACTION

Referred By	Date Referred	Date Pet Filed	Allegations:
Det Hearing Date	Order Detained?	Judicial Days Det	
Adj Hearing Date	Heard By	Sustained By	Petition Amended?
Disposition Date	Heard By	Court	

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
JUVENILE COURT

CHILDREN'S SOCIAL WORKER'S REPORT

DEPT APPEARANCE
237 X YES _ NO

JUDICIAL REVIEW

DAY DATE
TUESDAY 01/08/91

PERMANENCY PLANNING HEARING
CAROLYN OJURI, PM-16
PHONE: (213) 846-2339 REGION: II
METRO FAMILY SERVICES
COURT NO: J954082 DCS#: S2213

IN THE MATTER OF

		A G E	D O B
WHITE	, JOHN	12	/78
WHITE	, JOHNISHA	11	/79
WHITE	, EUNISHA	09	/81

a minor

WHEREABOUTS OF PARTIES:

MINORS JOHN, JOHNISHA, AND EUNISHA RESIDE IN THE HOME OF THEIR MATERNAL GRANDMOTHER, JANE EDWARDS, AT [REDACTED], LOS ANGELES, CA 90044. (213) [REDACTED].

MOTHER, EUNICE CAIN'S MAILING ADDRESS IS [REDACTED], LOS ANGELES, CA 90044. (213) [REDACTED].

FATHER, JOHN LEE WHITE'S MAILING ADDRESS IS [REDACTED], LOS ANGELES, CA 90011.

LEGAL HISTORY:

THIS MATTER IS ON CALENDAR FOR JUDICIAL REVIEW OF DEPENDENCY STATUS.

THE MINOR WAS DECLARED A DEPENDENT CHILD OF THE COURT UNDER SECTION 300, SUBDIVISION(S) A OF THE JUVENILE COURT LAW. THE SUSTAINED PETITION ALLEGED THAT MINORS' PARENTS FAILED TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE, INCLUDING BUT NOT LIMITED TO, ADEQUATE FOOD, SHELTER, AND CLOTHING. PARENTS HAVE A HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE MINORS.

AND ON 02-25-85 THE COURT ORDERED

-1-

4356 Rev 11/89

HOME OF PARENT FOR MINOR _____.

X SUITABLE PLACEMENT/RELATIVE FOR MINOR ALL MINORS.

SUITABLE PLACEMENT/DCS FOSTER CARE FOR MINOR _____.

THE ORIGINAL ORDER OF THE COURT REMAINS IN FULL FORCE AND EFFECT.

X THE ORIGINAL ORDER OF THE COURT WAS CHANGED ON _____ AND
THE CURRENT ORDER IS _____.

A SUPPLEMENTAL (WIC387) PETITION WAS FILED ON BEHALF OF THE MINOR
ON _____. THE PETITION
ALLEGED: _____.

THE DISPOSITION DATED _____ ORDERED _____.

X A PERMANENCY PLANNING HEARING WAS HELD REGARDING THE MINOR ON
02-24-86, 04-22-86, 01-08-87.

NO PERMANENCY PLANNING HEARING HAS BEEN HELD.

RECOMMENDATION:

IT IS RESPECTFULLY RECOMMENDED THAT JURISDICTION OVER THE MINOR(S) _____
BE TERMINATED.

X IT IS RESPECTFULLY RECOMMENDED THAT MINOR(S) ALL MINORS,
REMAIN A DEPENDENT CHILD OF THE COURT UNDER SECTION 300,
SUBDIVISION A OF THE JUVENILE COURT LAW.

THAT THE PREVIOUS ORDER OF HOME OF PARENT FOR MINOR(S) _____,
REMAIN IN FULL FORCE AND EFFECT.

X THAT THE PREVIOUS ORDER OF SUITABLE PLACEMENT DATED 02-25-85,
AS TO MINOR(S) _____ BE TERMINATED AND
MINOR(S) TO BE ALLOWED TO RESIDE IN THE HOME OF MOTHER/FATHER _____.

AS TO MINOR(S) _____ BE MODIFIED TO
ALLOW A VISIT NOT TO EXCEED 60 DAYS IN THE HOME OF THE
MOTHER/FATHER _____.

X AS TO MINOR(S) ALL MINORS REMAIN IN FULL
FORCE AND EFFECT:

X THAT VISITS TO THE MINOR(S) ALL MINORS BE AT DCS DISCRETION;
X THAT VISITS TO THE MINOR(S) ALL MINORS E AS FOLLOWS:
X MONITORED VISITS FOR PARENTS, EUNICE CAIN & JOHN WHITE TO BE
 MONITORED BY CARETAKERS

X THAT MOTHER, EUNICE CAIN BE ORDERED TO PARTICIPATE IN A PROGRAM OF COUNSELING AS APPROVED BY DCS; X THAT SUCH COUNSELING BE WITH DRUG COUNSELING AND RANDOM TESTING.

— THAT THE WARRANT OF ARREST ISSUED FOR MINOR _____,
PARENT _____ ON _____ REMAIN IN FULL FORCE
AND EFFECT;

— THAT THE MINOR(S) _____ BE REFERRED FOR
ADOPTIVE PLANNING.

THAT MINORS BE ORDERED TO LONG TERM FOSTER CARE.

ADDITIONAL RECOMMENDATIONS:

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3 THAT THE MATTER BE CONTINUED TO THE NONAPPEARANCE CALENDAR OF
4 IN DEPARTMENT FOR REPORT ON

5 THAT THE MATTER BE CONTINUED TO THE APPEARANCE CALENDAR
6 OF FOR JUDICIAL REVIEW PERMANENCY PLANNING
7 HEARING AND REPORT FROM THE DEPARTMENT OF CHILDREN'S
8 SERVICES.

9 FAMILY REASSESSMENT:

10 EVALUATION OF PROGRESS AND REASON FOR RECOMMENDATION

11 MINORS CAME TO THE ATTENTION OF THE COURT IN 1985 WHEN PARENTS FAILED
12 TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE. PARENTS HAVE A
13 HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE
14 MINORS.

15 MINORS APPEAR TO BE HEALTHY AND HAPPY IN THE HOME OF MATERNAL
16 GRANDMOTHER, EUNICE CAIN.

17 MINOR JOHN ATTENDS JOHN MUIR JUNIOR HIGH. JOHNISHA AND EUNISHA ATTENDS
18 BUDLONG SCHOOL.

19 MINORS' MOTHER, EUNICE CAIN HAS BEEN VISITING MINORS FREQUENTLY AT
20 MATERNAL GRANDMOTHER'S HOME, BUT HAS MADE NO ATTEMPT TO RE-ESTABLISH A
21 HOME FOR THEM SHE HAS NO STABLE ADDRESS AND HAS MADE NO CONTACT WITH
22 CSW TO DISCUSS MINORS' ON-GOING CARE AND SUPERVISION. MINORS' FATHER,
23 JOHN LEE WHITE'S WHEREABOUTS STILL REMAIN UNKNOWN.

24 MINORS' MATERNAL GRANDMOTHER, JANE EDWARDS STATES SHE DOES NOT WANT
25 ADOPTION OR GUARDIANSHIP, BUT DOES WANT TO PROVIDE A GOOD HOME FOR
26 MINORS ON A LONG TERM BASIS.

27 IN VIEW OF THE ABOVE IT IS RESPECTFULLY RECOMMENDED THAT THE ORDER OF
28 SUITABLE PLACEMENT BE CONTINUED AND THAT THE ORDER FOR LONG TERM
29 PLACEMENT BE CONTINUED.

30 PAST PLAN/SERVICES OFFERED:

31 THE SERVICES PLAN FOR THE FAMILY DURING THE PAST PERIOD OF SUPERVISION
32 HAS BEEN

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— FAMILY MAINTENANCE SERVICES FOR MINOR
— FAMILY REUNIFICATION SERVICES FOR MINOR
X PERMANENT PLACEMENT SERVICES FOR MINOR ALL MINORS

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3 PREVIOUS OBJECTIVES AND TIMETABLES:

4 PARENTS TO ATTEND DRUG COUNSELING WITH RANDOM TESTING.

5 PARENTS TO CONTACT CSW ON A REGULAR BASIS.

6 MOTHER TO OBTAIN ADEQUATE HOUSING AND MAINTAIN CONSISTENT CONTACT WITH MINORS.

7 SERVICES/ACTIVITIES COMPLETED: CSW

8 MONITORING OF MINORS' CARE AND SUPERVISION.

9 MONITORING OF MINORS' ACADEMIC PROGRESS.

0 PARENTS

1 TO ATTEND DRUG COUNSELING AND RANDOM TESTING.

2 TO ATTEND PARENTING CLASSES.

3 TO CONTACT CSW.

4 OTHER PARTIES (i.e. CARETAKER, MINOR)

5 CONTINUE TO PROVIDE CARE AND SUPERVISION TO MINORS.

6 X THE PREVIOUS SERVICES PLAN CONTINUES TO BE APPROPRIATE AND WILL REMAIN IN EFFECT.

7 THE PREVIOUS SERVICES PLAN WILL BE DISCONTINUED FOR THE FOLLOWING REASONS:

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9
0 THE VISITATION PLAN ARRANGED FOR THE PARENTS WITH MINOR(S) IN PLACEMENT HAS BEEN:

1 MONITORED BY CARETAKER, NO VISITS WHILE UNDER THE INFLUENCE.

2
3 THE PARENTS/GUARDIAN'S COOPERATION WITH THE ARRANGED VISITATION PLAN HAS BEEN SATISFACTORY X NOT SATISFACTORY.
4 EVALUATION OF VISITATION PLAN:

5 AT DISCRETION OF THE GRANDMOTHER.
6
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8

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2 CURRENT PLAN/SERVICES TO BE OFFERED:

3 THE SERVICES PLAN FOR THE FAMILY DURING THE NEXT PERIOD OF SUPERVISION
4 WILL BE

5 — FAMILY MAINTENANCE SERVICES FOR MINOR _____
6 — FAMILY REUNIFICATION SERVICES FOR MINOR _____
7 X PERMANENT PLACEMENT SERVICES FOR MINOR ALL MINORS

8 OBJECTIVES AND TIMETABLES

9 MAINTAIN MINORS IN PLACEMENT.
10 ASSURE MINORS RECEIVE MEDICAL CARE ON-GOING.
11 ASSURE MINORS EDUCATIONAL NEEDS ARE BEING MET.

12 PROPOSED SERVICES/ACTIVITIES:
13 CSW WILL

14 CSW WILL PROVIDE CARE MANAGEMENT SERVICES AND CASE WORK COUNSELING
15 SERVICES FOR MINORS AND CARETAKER.

16 PARENTS WILL

17 MOTHER WILL BE ENCOURAGED TO BECOME MORE INVOLVED WITH MINORS AND
18 MAINTAIN CONTACT WITH CSW.

19 OTHER PARTIES (i.e. CARETAKER, MINOR) WILL

20 CARETAKER WILL CONTINUE TO PROPERLY PROVIDE FOR MINORS'
21 SOCIAL\EMOTIONAL HEALTH AND NEEDS.

22 THE VISITING SCHEDULE FOR PARENTS WITH MINORS IN PLACEMENT WILL BE:

23 DISCRETION OF MATERNAL GRANDMOTHER.

24 PERMANENCY PLANNING FOR MINORS IN PLACEMENT:

25 — THERE IS A LIKELIHOOD OF FAMILY REUNIFICATION WITHIN THE NEXT SIX
26 MONTHS FOR MINOR(S) _____.

27 — THERE IS NO LIKELIHOOD OF FAMILY REUNIFICATION WITHIN THE NEXT SIX
28 MONTHS FOR MINOR(S) _____, AND THE MINOR(S)
29 WILL BE REFERRED FOR ADOPTION PLANNING SERVICES.

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3 — THERE IS NO LIKELIHOOD OF FAMILY REUNIFICATION OR ADOPTION FOR
4 MINOR(S) _____, AND THE POSSIBILITY OF
5 LEGAL GUARDIANSHIP BY _____ WILL BE EXPLORED.

6 X — THERE IS NO LIKELIHOOD OF FAMILY REUNIFICATION OR ADOPTION OR
7 LEGAL GUARDIANSHIP FOR MINOR(S) ALL MINORS AT THIS TIME,
8 AND THE PLAN FOR MINOR(S) IS LONG TERM FOSTER CARE.
9 THE LONG TERM FOSTER CARE PLAN FOR EACH MINOR IS:

10
11
12 LONG TERM FOSTER CARE, RELATIVE.

13 — THE PLAN FOR MINOR(S) _____
14 IS TERMINATION OF JURISDICTION WITHIN THE NEXT SIX MONTHS BECAUSE
15 _____ MINOR WILL BECOME INELIGIBLE FOR FOSTER CARE DUE TO AGE
16 _____ MINOR WILL BECOME EMANCIPATED
17 _____ OTHER

18 ADOPTION ASSESSMENT:

19 X — AN ADOPTION ASSESSMENT OF THE MINOR(S) ALL MINORS
20 WAS HELD ON 02-24-86.
21 ASSESSMENT ATTACHED TO THIS REPORT.
22 X — ASSESSMENT PREVIOUSLY REPORTED TO COURT ON 02-24-86.

23 PLACEMENT HISTORY FOR MINOR(S) IN OUT-OF-HOME CARE:

24 THE MINOR ALL MINORS HAS BEEN IN OUT-OF-HOME CARE
25 SINCE 11-29-84. DURING THIS TIME THERE HAVE BEEN 1 PLACEMENTS
26 FOR THE MINOR (EXCLUDING SHELTER CARE). THE MINOR HAS 1 HAS NOT
27 BEEN MOVED SINCE THE LAST HEARING. IF THE MINOR WAS MOVED, STATE THE
28 REASON:

1 SPECIFIC PROBLEMS FOR WHICH GROUP HOME PLACEMENT IS REQUIRED

2
3 SPECIFIC GROUP HOME TREATMENT PROGRAM WHICH WILL MEET MINOR'S NEEDS

4
5 IF PLACEMENT IS TO BE OUT OF COUNTY, OUT OF STATE, OR IN A HOME
6 CERTIFIED PENDING LICENSE, STATE THE REASONS FOR THIS PLACEMENT

7
8
9 THE MINOR _____ HAS BEEN IN OUT-OF-HOME CARE
10 SINCE _____. DURING THIS TIME THERE HAVE BEEN _____ PLACEMENTS
11 FOR THE MINOR (EXCLUDING SHELTER CARE). THE MINOR _____ HAS _____ HAS NOT
12 BEEN MOVED SINCE THE LAST HEARING. IF THE MINOR WAS MOVED, STATE THE
13 REASON:

14 SPECIFIC PROBLEMS FOR WHICH GROUP HOME PLACEMENT IS REQUIRED

15
16 SPECIFIC GROUP HOME TREATMENT PROGRAM WHICH WILL MEET MINOR'S NEEDS

17
18 IF PLACEMENT IS TO BE OUT OF COUNTY, OUT OF STATE, OR IN A HOME
19 CERTIFIED PENDING LICENSE, STATE THE REASONS FOR THIS PLACEMENT

20
21
22 STATEMENTS OF PARENT(S), MINOR(S), INTERESTED PARTIES:

23 MINORS JOHNISHA AND EUNISHA STATES, THEY WANT TO REMAIN WITH MATERNAL
24 GRANDMOTHER.

25 MINOR, JOHN WHITE DID NOT MAKE HIMSELF AVAILABLE FOR A STATEMENT.

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3
4 MOTHER, EUNICE CAIN IS BECOMING MORE INVOLVED WITH MINORS.
5

6 MINORS' MATERNAL GRANDMOTHER, JANE EDWARDS STATES, SHE WILL CARE FOR
7 HER GRANDCHILDREN UNTIL MINORS' MOTHER IS ABLE TO REHABILITATE AND CAN
8 CARE FOR THE MINORS ON HER OWN.
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17 RESPECTFULLY SUBMITTED,
18 RICHARD B. DIXON, ACTING DIRECTOR
DEPARTMENT OF CHILDREN'S SERVICES

THE FOREGOING RECOMMENDATION IS
APPROVED AND IT IS SO ORDERED

19 BY Carolyn Ojuri

DATE

20 CAROLYN OJURI, CHILDREN'S SOCIAL WORKER, II
21 REGION II, METRO FAMILY SERVICES, FILE NO: PM-16
22 2444 S. ALAMEDA STREET, LOS ANGELES, CA 90058
PHONE: (213) 846-23.

23 APPROVED M. Bourgeois

JUDGE OR REFEREE

24 MARGIE BOURGEIOS, SUPERVISING
25 CHILDREN'S SOCIAL WORKER
26 PHONE: (213) 846-2353
27 TYPED:
28 05

-9-

4356 Rev 11/89

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
JUVENILE COURT

CHILDREN'S SOCIAL WORKER'S REPORT

DEPT 237 APPEARANCE X YES

JUDICIAL REVIEW

DAY TUESDAY DATE 07/09/91

FOR MINORS DECLARED DEPENDENT
CHILDREN OF THE COURT PRIOR TO
JANUARY 1, 1989

— PERMANENCY PLANNING HEARING
— REVIEW OF A PERMANENT PLAN

COURT NO: J954082

IN THE MATTER OF

		<u>A G E</u>	<u>D O B</u>
WHITE	, JOHN	13	/78
WHITE	, JONISHA	12	/79
WHITE	, EUNISHA	10	/81

a minor

WHEREABOUTS OF PARTIES:

MINOR(S): JOHN, JONISHA, AND EUNISHA RESIDE IN THE HOME OF MATERNAL GRANDMOTHER, JANE EDWARDS, AT [REDACTED], LOS ANGELES, CA 90044. (213) [REDACTED].

PARENT(S): EUNICE CAIN'S MAILING ADDRESS IS [REDACTED], LOS ANGELES, CA 90044. (213) [REDACTED].

FATHER, JOHN LEE WHITE'S MAILING ADDRESS IN [REDACTED], LOS ANGELES, CA 90011.

LEGAL HISTORY:

THIS MATTER IS ON CALENDAR FOR JUDICIAL REVIEW OF DEPENDENCY STATUS.

THE MINOR WAS DECLARED A DEPENDENT CHILD OF THE COURT UNDER SECTION 300, SUBDIVISION(S) A OF THE JUVENILE COURT LAW. THE SUSTAINED PETITION ALLEGED THAT MINORS' PARENTS FAILED TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE, INCLUDING BUT NOT LIMITED TO, ADEQUATE FOOD, SHELTER, AND CLOTHING. PARENTS HAVE A HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE MINORS.

AND ON 02/25/85 THE COURT ORDERED

-1-

DCS 4356-1 (1-91)

1
2 X SUITABLE PLACEMENT/RELATIVE FOR MINOR ALL MINORS
3 X A PERMANENCY PLANNING HEARING WAS HELD REGARDING THE MINOR(S) ON
4 02/24/86, 04/22/86 AND 01/08/87.

5 RECOMMENDATION:

6 X IT IS RESPECTFULLY RECOMMENDED THAT MINOR(S) ALL MINORS
7 REMAIN A DEPENDENT CHILD OF THE COURT
8 LAW. UNDER WIC SECTION 300, SUBSECTION A OF THE JUVENILE COURT

9 X THAT THE PREVIOUS ORDER OF SUITABLE PLACEMENT DATED 02/25/85

0 X AS TO MINOR(S) ALL MINORS
1 REMAIN IN FULL FORCE AND EFFECT:

2 X THAT THE COURT ORDER DCS TO PROVIDE

3 X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

4 X IT IS RESPECTFULLY RECOMMENDED THAT VISITS BE AS FOLLOWS:

5 X THAT A REGULAR VISITATION SCHEDULE BE ESTABLISHED AS
6 FOLLOWS: BE AT DCS DISCRETION

7 X THAT THE MATTER BE CONTINUED TO THE APPEARANCE CALENDAR OF
8 01/08/91 IN DEPARTMENT 237 FOR X JUDICIAL REVIEW
9 PERMANENCY PLANNING HEARING AND REPORT FROM THE DEPARTMENT OF
0 CHILDREN'S SERVICES.

1 REASON FOR RECOMMENDATION:

2 MINORS CAME TO THE ATTENTION OF THE COURT IN 1985 WHEN PARENTS FAILED
3 TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE. PARENTS HAVE A
4 HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE
5 MINORS.

6 MINORS ARE HEALTHY AND HAPPY IN THE HOME OF MATERNAL GRANDMOTHER,
7 EUNICE CAIN.

8 MINOR JOHN ATTENDS JOHN MUIR JUNIOR HIGH. JOHNISHA AND EUNISHA ATTENDS
9 BUDLONG SCHOOL. ALL MINORS ARE MAKING AVERAGE GRADES.

0 MINORS' MOTHER, EUNICE CAIN VISITS MINORS FREQUENTLY AT MATERNAL
1 GRANDMOTHER'S HOME, BUT HAS MADE NO ATTEMPT TO RE-ESTABLISH A HOME FOR
2 THEM; SHE HAS NO STABLE ADDRESS AND HAD MADE NO CONTACT WITH CSW TO
3 DISCUSS MINORS' ON-GOING CARE AND SUPERVISION. MINORS' FATHER, JOHN
4 LEE WHITE'S WHEREABOUTS STILL REMAIN UNKNOWN.

1
2 MINORS' MATERNAL GRANDMOTHER, JANE EDWARDS STATES SHE DOES NOT WANT
3 ADOPTION OR GUARDIANSHIP, BUT DOES WANT TO PROVIDE A GOOD HOME FOR
MINORS ON A LONG TERM BASIS.

4 IN VIEW OF THE ABOVE IT IS RESPECTFULLY RECOMMENDED THAT THE ORDER OF
5 SUITABLE PLACEMENT BE CONTINUED AND THAT THE ORDER FOR LONG TERM
6 PLACEMENT BE CONTINUED.

7 PAST PLAN/SERVICES OFFERED:

8 THE SERVICES PLAN FOR THE FAMILY DURING THE PAST PERIOD OF SUPERVISION
9 HAS BEEN

0 X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

1 SERVICES ACTIVITIES COMPLETED BY:

2 DCS

3 CSW HAS PROVIDED CASE MANAGEMENT SERVICES AND CASEWORK COUNSELING FOR
4 MINORS AND CARETAKER.

5 PARENTS

6 MOTHER WILL BE ENCOURAGED TO BECOME MORE INVOLVED WITH MINORS AND
7 MAINTAIN CONTACT WITH CSW.

8 OTHER PARTIES (I.E., CARETAKER, MINOR)

9 CARETAKER WILL CONTINUE TO PROPERLY PROVIDE FOR MINORS'
0 SOCIAL\EMOTIONAL HEALTH AND NEEDS.

1 X THE PREVIOUS SERVICES PLAN CONTINUES TO BE APPROPRIATE AND WILL
2 REMAIN IN EFFECT

3 THE PARENTS' COOPERATION WITH THE ARRANGED VISITATION PLAN HAS BEEN

4 X SATISFACTORY NOT SATISFACTORY

1
2 CURRENT PLAN/SERVICES TO BE OFFERED:

3 THE SERVICES PLAN FOR THE FAMILY DURING THE NEXT PERIOD OF SUPERVISION
4 WILL BE

5 X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

6 PERMANENCY PLANNING FOR MINORS IN PLACEMENT:

7 X THERE IS NO LIKELIHOOD OF FAMILY REUNIFICATION OR ADOPTION OR
8 LEGAL GUARDIANSHIP FOR MINOR(S) ALL MINORS
9 AT THIS TIME, AND THE PLAN FOR MINOR(S) IS LONG-TERM FOSTER CARE.

10 THE LONG-TERM FOSTER CARE PLAN FOR EACH MINOR IS:

LONG TERM FOSTER CARE, RELATIVE

1 ADOPTION ASSESSMENT:

2 X AN ADOPTION ASSESSMENT OF THE MINOR(S) ALL MINORS
3 WAS HELD ON _____

4 X ASSESSMENT PREVIOUSLY REPORTED TO COURT ON 02/24/86

5 PLACEMENT HISTORY FOR MINOR(S) IN OUT-OF-HOME CARE:

6 THE MINOR ALL MINORS HAS BEEN IN
7 OUT-OF-HOME CARE SINCE 11/29/84 DURING THIS TIME THERE HAVE BEEN 1
8 PLACEMENTS FOR THE MINOR (EXCLUDING SHELTER CARE).

9 X THE MINOR HAS NOT BEEN MOVED SINCE THE LAST HEARING.

10 STATEMENTS OF PARENT(S), MINOR(S), INTERESTED PARTIES:

1 MINOR JOHN WHITE STATED, THAT HE LIKES LIVING WITH MATERNAL
2 GRANDMOTHER.

3 MINORS JOHNISHA AND EUNISHA STATES, THEY WANT TO REMAIN WITH MATERNAL
4 GRANDMOTHER.

5 MOTHER EUNICE CAIN WAS NOT AVAILABLE FOR A STATEMENT.

6 MINORS' MATERNAL GRANDMOTHER, JANE EDWARDS STATES, SHE WILL CARE FOR
7 HER GRAND-CHILDREN UNTIL MINORS' MOTHER IS ABLE TO REHABILITATE AND CAN
8 CARE FOR THE MINOR ON HER OWN.

SIGNATURES

I/WE HAVE RECEIVED A COPY OF THIS PLAN FOR COUNSELING AND VISITATION.

MOTHER _____ FATHER _____

OTHER _____

I HAVE GIVEN MY CLIENT A COPY OF THIS PLAN FOR COUNSELING AND VISITATION.

ATTORNEY _____ ADDRESS _____ TELEPHONE _____

APPROVED AS TO FORM
DEPUTY COUNTY COUNSEL _____

I HAVE INTERPRETED THE ORDERS OF THE COURT INTO _____

INTERPRETER(S) _____

RESPECTFULLY SUBMITTED,
PETER DIGRE, DIRECTOR
DEPARTMENT OF CHILDREN'S SERVICES

BY Carolyn Ojuri 6-28-91
DATE

CAROLYN OJURI
CHILDREN'S SOCIAL WORKER II
REGION II, METRO FAMILY SERVICES, FILE NO: PM-05
2444 S. ALAMEDA STREET, LOS ANGELES, CA 90058
PHONE: (213) 846-2354

APPROVED Margie Bourgeois 06-28-91
DATE

MARGIE BOURGEOIS
SUPERVISING CHILDREN'S SOCIAL WORKER
PHONE: (213) 846-2353

THE FORGOING RECOMMENDATION IS APPROVED AND IT IS SO ORDERED

JUDGE OR REFEREE DATE

TYPED:
05

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
JUVENILE COURT

CHILDREN'S SOCIAL WORKER'S REPORT

DEPT 237 APPEARANCE ☒ YES

JUDICIAL REVIEW

DAY TUESDAY DATE 07/09/91

FOR MINORS DECLARED DEPENDENT
CHILDREN OF THE COURT PRIOR TO
JANUARY 1, 1989

— PERMANENCY PLANNING HEARING
— REVIEW OF A PERMANENT PLAN

COURT NO: J954082

IN THE MATTER OF

		<u>A G E</u>	<u>D O B</u>
WHITE	, JOHN	13	█/78
WHITE	, JONISHA	12	█/79
WHITE	, EUNISHA	10	█/81

a minor

WHEREABOUTS OF PARTIES:

MINOR(S): JOHN, JONISHA, AND EUNISHA RESIDE IN THE HOME OF MATERNAL GRANDMOTHER, JANE EDWARDS, AT █, LOS ANGELES, CA 90044. (213) █

PARENT(S): EUNICE CAIN'S MAILING ADDRESS IS █, LOS ANGELES, CA 90044. (213) █.

FATHER, JOHN LEE WHITE'S MAILING ADDRESS IN █, LOS ANGELES, CA 90011.

LEGAL HISTORY:

THIS MATTER IS ON CALENDAR FOR JUDICIAL REVIEW OF DEPENDENCY STATUS.

THE MINOR WAS DECLARED A DEPENDENT CHILD OF THE COURT UNDER SECTION 300, SUBDIVISION(S) A OF THE JUVENILE COURT LAW. THE SUSTAINED PETITION ALLEGED THAT MINORS' PARENTS FAILED TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE, INCLUDING BUT NOT LIMITED TO, ADEQUATE FOOD, SHELTER, AND CLOTHING. PARENTS HAVE A HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE MINORS.

AND ON 02/25/85 THE COURT ORDERED

1
2 X SUITABLE PLACEMENT/RELATIVE FOR MINOR ALL MINORS .
3 X A PERMANENCY PLANNING HEARING WAS HELD REGARDING THE MINOR(S) ON
4 02/24/86, 04/22/86 AND 01/08/87.

5 RECOMMENDATION:

6 X IT IS RESPECTFULLY RECOMMENDED THAT MINOR(S) ALL MINORS
7 REMAIN A DEPENDENT CHILD OF THE COURT
8 UNDER WIC SECTION 300, SUBSECTION A OF THE JUVENILE COURT
9 LAW.

10 X THAT THE PREVIOUS ORDER OF SUITABLE PLACEMENT DATED 02/25/85

11 X AS TO MINOR(S) ALL MINORS
12 REMAIN IN FULL FORCE AND EFFECT:

13 X THAT THE COURT ORDER DCS TO PROVIDE

14 X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

15 X IT IS RESPECTFULLY RECOMMENDED THAT VISITS BE AS FOLLOWS:

16 X THAT A REGULAR VISITATION SCHEDULE BE ESTABLISHED AS
17 FOLLOWS: BE AT DCS DISCRETION

18 X THAT THE MATTER BE CONTINUED TO THE APPEARANCE CALENDAR OF
19 01/08/91 IN DEPARTMENT 237 FOR X JUDICIAL REVIEW
20 PERMANENCY PLANNING HEARING AND REPORT FROM THE DEPARTMENT OF
21 CHILDREN'S SERVICES.

22 REASON FOR RECOMMENDATION:

23 MINORS CAME TO THE ATTENTION OF THE COURT IN 1985 WHEN PARENTS FAILED
24 TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE. PARENTS HAVE A
25 HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE
26 MINORS.

27 MINORS ARE HEALTHY AND HAPPY IN THE HOME OF MATERNAL GRANDMOTHER,
28 EUNICE CAIN.

29 MINOR JOHN ATTENDS JOHN MUIR JUNIOR HIGH. JOHNISHA AND EUNISHA ATTENDS
30 BUDLONG SCHOOL. ALL MINORS ARE MAKING AVERAGE GRADES.

31 MINORS' MOTHER, EUNICE CAIN VISITS MINORS FREQUENTLY AT MATERNAL
32 GRANDMOTHER'S HOME, BUT HAS MADE NO ATTEMPT TO RE-ESTABLISH A HOME FOR
33 THEM; SHE HAS NO STABLE ADDRESS AND HAD MADE NO CONTACT WITH CSW TO
34 DISCUSS MINORS' ON-GOING CARE AND SUPERVISION. MINORS' FATHER, JOHN
35 LEE WHITE'S WHEREABOUTS STILL REMAIN UNKNOWN.

1
2 CURRENT PLAN/SERVICES TO BE OFFERED:

3 THE SERVICES PLAN FOR THE FAMILY DURING THE NEXT PERIOD OF SUPERVISION
4 WILL BE

5 X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

6 PERMANENCY PLANNING FOR MINORS IN PLACEMENT:

7 X THERE IS NO LIKELIHOOD OF FAMILY REUNIFICATION OR ADOPTION OR
8 LEGAL GUARDIANSHIP FOR MINOR(S) ALL MINORS
9 AT THIS TIME, AND THE PLAN FOR MINOR(S) IS LONG-TERM FOSTER CARE.

10 THE LONG-TERM FOSTER CARE PLAN FOR EACH MINOR IS:

11 LONG TERM FOSTER CARE, RELATIVE

12 ADOPTION ASSESSMENT:

13 X AN ADOPTION ASSESSMENT OF THE MINOR(S) ALL MINORS
14 WAS HELD ON _____

15 X ASSESSMENT PREVIOUSLY REPORTED TO COURT ON 02/24/86

16 PLACEMENT HISTORY FOR MINOR(S) IN OUT-OF-HOME CARE:

17 THE MINOR ALL MINORS HAS BEEN IN
18 OUT-OF-HOME CARE SINCE 11/29/84 DURING THIS TIME THERE HAVE BEEN 1
19 PLACEMENTS FOR THE MINOR (EXCLUDING SHELTER CARE).

20 X THE MINOR HAS NOT BEEN MOVED SINCE THE LAST HEARING.

21 STATEMENTS OF PARENT(S), MINOR(S), INTERESTED PARTIES:

22 MINOR JOHN WHITE STATED, THAT HE LIKES LIVING WITH MATERNAL
23 GRANDMOTHER.

24 MINORS JOHNISHA AND EUNISHA STATES, THEY WANT TO REMAIN WITH MATERNAL
25 GRANDMOTHER.

26 MOTHER EUNICE CAIN WAS NOT AVAILABLE FOR A STATEMENT.

27 MINORS' MATERNAL GRANDMOTHER, JANE EDWARDS STATES, SHE WILL CARE FOR
28 HER GRAND-CHILDREN UNTIL MINORS' MOTHER IS ABLE TO REHABILITATE AND CAN
29 CARE FOR THE MINOR ON HER OWN.

SIGNATURES

I/WE HAVE RECEIVED A COPY OF THIS PLAN FOR COUNSELING AND VISITATION.

MOTHER _____ FATHER _____

OTHER _____

I HAVE GIVEN MY CLIENT A COPY OF THIS PLAN FOR COUNSELING AND VISITATION.

ATTORNEY _____ ADDRESS _____ TELEPHONE _____

APPROVED AS TO FORM
DEPUTY COUNTY COUNSEL _____

I HAVE INTERPRETED THE ORDERS OF THE COURT INTO _____

INTERPRETER(S) _____

RESPECTFULLY SUBMITTED,
PETER DIGRE, DIRECTOR
DEPARTMENT OF CHILDREN'S SERVICES

BY Carolyn Ojuri 6-28-91
DATE

CAROLYN OJURI
CHILDREN'S SOCIAL WORKER II
REGION II, METRO FAMILY SERVICES, FILE NO: PM-05
2444 S. ALAMEDA STREET, LOS ANGELES, CA 90058
PHONE: (213) 846-2354

APPROVED Margie Bourgeois 06-28-91
DATE

MARGIE BOURGEOIS
SUPERVISING CHILDREN'S SOCIAL WORKER
PHONE: (213) 846-2353

THE FORGOING RECOMMENDATION IS APPROVED AND IT IS SO ORDERED

JUDGE OR REFEREE DATE

TYPED:
05

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DEPT	APPEARANCE
237	<u>X</u> YES

DAY	DATE
TUESDAY	01/07/92

X PERMANENCY PLANNING HEARING
REVIEW OF A PERMANENT PLAN

IN THE MATTER OF

		<u>A G E</u>	<u>D O B</u>
WHITE	,JOHN	13	██████████/78
WHITE	,JOHNISHA	12	██████████/79
WHITE	,EUNISHA	10	██████████/81

WHEREABOUTS OF PARTIES:

MINOR(S): JOHN, JOHNNISHA AND EUNISHA RESIDE IN THE HOME OF MATERNAL GRANDMOTHER, JANE EDWARDS, AT [REDACTED] [REDACTED], LOS ANGELES, CA. 90044 (213) [REDACTED].

PARENT(S): EUNICE CAIN'S MAILING ADDRESS IS [REDACTED] [REDACTED] [REDACTED], LOS ANGELES, CA. 90044 (213) [REDACTED].

FATHER, JOHN LEE WHITE'S MAILING ADDRESS IS [REDACTED] [REDACTED], LOS ANGELES, CA. 90011.

LEGAL HISTORY:

THIS MATTER IS ON CALENDAR FOR JUDICIAL REVIEW OF DEPENDENCY STATUS.

THE MINOR WAS DECLARED A DEPENDENT CHILD OF THE COURT UNDER SECTION 300, SUBDIVISION(S) A OF THE JUVENILE COURT LAW. THE SUSTAINED PETITION ALLEGED THAT MINOR'S PARENTS FAILED TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE, INCLUDING BUT NOT LIMITED TO, ADEQUATE FOOD, SHELTER, AND CLOTHING. PARENTS HAVE A HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE MINORS.

AND ON 02/25/85 THE COURT ORDERED

X SUITABLE PLACEMENT/RELATIVE FOR MINOR ALL MINORS

RECOMMENDATION:

X IT IS RESPECTFULLY RECOMMENDED THAT MINOR(S) ALL MINORS
REMAIN A DEPENDENT CHILD OF THE COURT UNDER WIC SECTION 300,
SUBSECTION A OF THE JUVENILE COURT LAW.

X THAT THE PREVIOUS ORDER OF SUITABLE PLACEMENT DATED 02/25/85

X AS TO MINOR(S) ALL MINORS
REMAIN IN FULL FORCE AND EFFECT:

X THAT THE COURT ORDER DCS TO PROVIDE

X PERMANENT PLACEMENT SERVICES FOR MINOR(S) ALL MINORS

X IT IS RESPECTFULLY RECOMMENDED THAT VISITS BE AS FOLLOWS:

X THAT A REGULAR VISITATION SCHEDULE BE ESTABLISHED AS
FOLLOWS: MATERNAL GRANDMOTHER'S DISCRETION

X THAT THE MATTER BE CONTINUED TO THE APPEARANCE CALENDAR OF
07/09/92 IN DEPARTMENT 237 FOR X JUDICIAL REVIEW

REASON FOR RECOMMENDATION:

MINORS CAME TO THE ATTENTION OF THE COURT IN 1985 WHEN PARENTS FAILED TO PROVIDE MINORS WITH THE BASIC NECESSITIES OF LIFE. PARENTS HAVE A HISTORY OF DRUG ABUSE WHICH LIMITS THEIR ABILITY TO CARE FOR THE MINORS.

DURING THIS PERIOD OF SUPERVISION, MINORS REMAINED IN THE HOME OF MATERNAL GRANDMOTHER, JANE EDWARDS. MINORS APPEAR TO BE HEALTHY AND HAPPY.

MINOR JOHN ATTENDS JOHN MUIR JR. HIGH SCHOOL AND IS IN THE EIGHT GRADE. JOHNNISHA IS IN SIXTH GRADE AND EUNISHA IS IN FIFTH GRADE AT BUDLONG ELEMENTARY. MINORS ATTEND SCHOOL ON A REGULAR BASIS.

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